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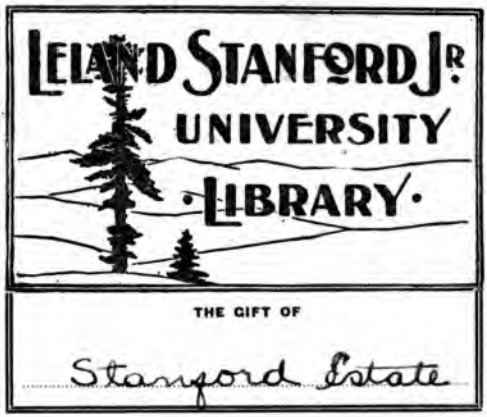
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Anna C. Davis

Dec. 25. 1892

Charles Sumner

"MAKERS OF AMERICA"

HARLES SUMNER

BY

ANNA LAURENS DAWES

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NEW YORK
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TO

My Mother,

In token of a debt I cannot pay, for inspiration, encouragement, and the wisest criticism.

PREFACE.

IN attempting to write a life of CHARLES SUMNER I was met at the outset with the practical difficulty which specially confronts those who would write of a time only just passed. Should I assume a knowledge of recent history on the part of the reader, or should I assume his ignorance of those events which made the background of Sumner's life; in other words, should I write for those who already knew more than I could hope to know of those events, or for the generation that now is, which as a matter of fact knows nothing of a time too far away for personal knowledge and too near for written history? Upon consideration, it seemed better to so write the story of this man's life that it should be a whole story, and that the reader need not look elsewhere to find any fact essential to comprehension of the situation.

This course has frequently compelled statements of facts so familiar that their repetition seems almost impertinent; while on the other hand the very limited space has compelled a rapidity of movement which destroys all proportion, and which prevents that freedom of quotation which allows a man to become his own biographer. But I have sought, so far as I might, to put myself once more in the atmosphere of a time half remembered and long a familiar household tale, and to write of Mr. Sumner from the midst of his own political surroundings.

In this effort I have been greatly assisted by the memories of many of his friends, men and women both, who have not yet forgotten him or his work, and to them all I make acknowledgment; and especially I am indebted to one who for almost the whole of Sumner's Congressional life was his associate and colleague, whose personal knowledge has corrected or confirmed much that has come to me from other sources. For the earlier years of Mr. Sumner's life I am almost altogether indebted to the incomparable biography of Mr. EDWARD L. PIERCE, after whom there is no new thing left to say or to discover. I am also under obligation to the great kindness and courtesy of Mr. ARNOLD B. JOHNSON, from whom I learned much that no one else could

give me. Besides the records and documents, I am in debt to a long list of political histories, biographies, reminiscences, contemporary articles, and other writings which it would be tedious to mention in detail.

ANNA LAURENS DAWES.

PITTSFIELD, MASS.

Mrs. Stanford.

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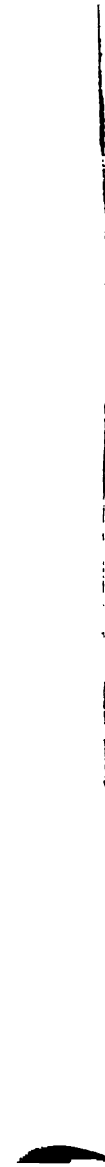
Anna A. Davis

Dec. 25. 1892



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and Latin authors, applied historical precedents to current events, — mental habits which he assiduously taught to his sons. He engaged warmly in the various controversies that raged about him over questions half political and all moral as those men looked at them, — the Masonic controversy, the Catholic question, and especially slavery. Of the last evil he said, with unconscious prophecy, "Our children's heads will some day be broken on a cannon-ball on this question." He had no sympathy with the social prejudice against the negro, then as now as strong in the North as in the South, while by word and deed he showed active interest in maintaining the rights then everywhere legally denied the black man, but sometimes practically secured to him by men of Sheriff Sumner's temper.

CHAPTER II.

1811–1837.

EARLY LIFE AND EDUCATION. — VISIT TO WASHINGTON. — LAW PRACTICE IN BOSTON.

CHARLES SUMNER was the eldest of nine children. He and his twin sister Matilda were born in Boston on the 6th of January, 1811. The family showed much of the mingled simplicity and culture and the underlying moral earnestness common to the Sumner household and its neighbours, and withal possessed something more than usual of attraction. One member after another died, of accident or disease, till in 1866 only Charles and his youngest sister were left of the whole circle.

Matilda died in 1832, at the age of twenty-one, a plain but sweet and kindly woman, who had conscientiously filled an eldest daughter's busy place in life. Of the five brothers, two were more closely associated with Charles than the others. Albert's house was a second home to him until the unhappy shipwreck in 1856 which destroyed that brother and his whole family; George Sumner, the third son, he found in some respects the most congenial companion of all the family. A traveller in many lands and a student of their institutions and governments, that brilliant man

devoted his life to literature and learning. He made his home in Paris, with occasional seasons of public lectures in America, but died in Boston in 1863, just at the height of the Senator's career. Three years later their mother followed him, leaving her distinguished son practically alone, since a distant residence had long separated him from his only remaining sister, Mrs. Hastings.

Like all Boston boys, Charles Sumner owed his early education to the famous Latin School, where he remained until he was fifteen. At that mature age the future champion of peace made an attempt to go to West Point, but failing in the effort, entered Harvard College in 1826. If his parentage and home life had much to do with the man he afterward became, his friendships — perhaps his father's friends before him — had much to do with his career all his life long. Some of the men that gathered around his father's table are almost as well known to us as to their contemporaries; and among his own schoolmates and friends we find many a name common to his later years. Robert C. Winthrop, George S. Hillard, James Freeman Clarke, and Wendell Phillips were all his schoolmates. Josiah Quincy was the President of Harvard College, and one of the Channings and Ticknor were among its professors. He had many connections with the great world too. In those days Daniel Webster, the idol of Massachusetts and the chief statesman of the country, was a familiar presence to him; and on the day the boy was graduated at the Latin School, no less person than John Quincy Adams, President of

the United States, was present and made a speech. Thus early was he thrown into a very nest and nursery of greatness. A respectable career at school, with some prizes, was followed by a similar course at college. Always in those days the young Sumner did fairly well at what he must, and took extraordinary rank wherever he would. Tall and noticeably thin, he was somewhat awkward, and his self-consciousness frequently produced a certain shyness. He was much concerned as to his clothes, and affected a cloak of blue camel's hair, and varied the prescribed costume of an undergraduate by a buff waistcoat of much local renown. This care for his dress and consciousness of the effect of his person remained with Mr. Sumner to the end; always considering the appointments of life with a careful regard, clothes took their due share of his attention. The statesman was no less careful of his attire than the college student; and the young lawyer in 1837, when lecturing upon the Constitution to a coloured literary society, thought it fit to educate them in other directions than politics by the moral effect of a fastidious regard for appearance, as expressed by certain pearl-coloured trousers!

His life as a student was entirely consistent with his whole career. We have no wild-oats period, no sharp corners, but a regular and ordered development. The story of his college life is one of much study and little recreation, so much so that his chosen biographer deems it suitable to record a visit to the Brighton cattle-fair. He had a half-dozen intimate friends, and for the rest, "a pleasant word

for all," sufficed him. Genial and amiable, he was fond of social life after his own limited definition of the word, and although a good talker, he was yet somewhat argumentative and a trifle pedantic. Purity and honour were as dear to the boy as to the man, and even profanity was impossible to him then, as in after life. He sometimes said he had never learned the "Washington vocabulary"! He was a member of the Hasty-Pudding Club, a distinction which says much for his personality; but on the other hand, his comparatively low rank as a scholar is evidenced by his failure to secure the purely scholastic honour of an election to Phi Beta Kappa, given to a third of his classmates. The curriculum did not greatly attract him, and he devoted himself almost altogether to the lighter studies which in one way or another more especially concern man and man's life, — to "the humanities and the arts," according to one of his fellow-students. The classics made him neglect mathematics; he preferred belles-lettres to such science as fell to his lot in those pre-Darwinian times; he chose for his themes heroes and race problems. As a writer, the serious point of view was always his, and the style was heavy — too heavy — with undigested learning. Neither thorough nor exact in his knowledge, its scope even then was extraordinary, and already he showed that phenomenal ability to make any subject his own in a very brief time which was his peculiar gift, and which both accounted for and occasioned many of his characteristics as a thinker and speaker.

Sumner's time of real development came after he

left college. The influences, direct and indirect, of his life at the Law School, and the memorable European journey which followed it, determined the qualities and the ambitions that were equal factors of his career. He did not at once begin his law studies, the chief reason for his delay being a lack of definite impulse toward any profession. Meanwhile, that genius of general learning which he ever worshipped claimed his eager service. He scorned delights and lived laborious days, eighteen hours long, over the ancient and modern classics, and in a Spartan devotion to the hated and hitherto neglected mathematics. He tried his hand at school-teaching, but speedily gave that up, to his own entire satisfaction. He wrote an essay on Commerce, which gained him much reputation and a copy of Lieber's "Encyclopædia Americana," awarded by Daniel Webster; and with this to help he began a library, and laid in those selfsame books the foundations of a long and valuable friendship with their author. He discovered thus early that a bookstore is an earthly paradise, and he began that habit of elaborate correspondence which lasted all his life through. He devoted much of his time to hearing lectures, orations, legal arguments, and entered warmly into the anti-Masonic controversy and the politics of the day. But all these most interesting and helpful pursuits did not advance him one step in his choice of a profession. In truth, he was greatly ambitious, and no ordinary career attracted him, yet no path appeared to lead to the heights he sought. After much debate and in some discouragement, he determined at last

to take the course his friends had long urged, and a year after his graduation returned to Cambridge, a student at the Law School. He did not mean to confine himself to the law, however. As he himself said, at a later date, of Pickering: —

"He knew that scholarship would gild the life of its professor, would afford a soothing companionship in hours of relaxation from labour, in periods of sadness, and in the evening of life; that when once embraced, it was more constant than friendship, attending its votary as an invisible spirit in the toils of the day, the watches of the night, the changes of travel, and the alternations of fortune and health."

To this end the student just come to his majority proposed to read forthwith Shakspeare and the English poets, to dip into intellectual philosophy with Stewart, and political economy with Say, and in the way of classics to read "Tacitus, Lucretius, Virgil, Ovid, Sallust, Cicero, Horace, Homer, Thucydides, and choice plays of the great tragedians"!

Notwithstanding this characteristic programme, the chief advantage which Sumner gained in those two years came neither from mental culture nor professional study, but from the personal influence of the great jurist, Joseph Story. It is said that every man's education is really gained from a single teacher; and certainly Charles Sumner is a conspicuous example of such a moulding power. Never wont to be largely influenced by those about him, he was always much affected by those who were in any degree his heroes. Hence when he came to know for himself, as friend and favourite pupil, his father's old friend Judge Story

— when the boy of twenty-two came in contact with the strong personality of this distinguished lawyer and great man, — he received the impulse of his life. Story added to the weight of his name more than one personal trait that served to cement the friendship between teacher and disciple, and in more than one direction his habits of mind or line of thought fixed the trend for the student. He was at once a devoted lover of letters and a deep student of his profession, and withal an indefatigable worker, whose "heart embraced labour as his hand grasped the hand of a friend," as Sumner said of him. The great expounder of our Constitution, it was his habit, to quote from the pupil's eloquent tribute to his memory, "to unfold the great principles drawn from experience and reflection, from the rules of right and wrong, from the unsounded depths of Christian truth," while "high in his mind above all human opinions and practices were the everlasting rules of right."

It is easy to trace the lines of his influence. Its extent was owing partly to the intense admiration Sumner felt for Judge Story, and partly to the fact that he was himself so sympathetic to many of the mental qualities of the great jurist; for even then it was true of him that he could not understand a different point of view from his own, or even show himself to one of a different mould. Thus it was that Story affected him so strongly; and much urged on in the same direction by other professors, the law became Sumner's ambition. He had planned for himself a brilliant career as a professor of literature or history, but now his ambitions changed, and he would

be a great lawyer, — "a jurist, not a lawyer," as he puts the fine distinction. Only a little later, these same ambitions changed again, and other influences led him to wish for public life and political position, until strangely enough, and by undreamed-of ways, he fell into that place and fame which he coveted.

At this period, however, the law absorbed him. "Politics," he says, in a letter to a friend, "I begin to loathe; they are of a day, but the law is of all time." If the law is a jealous mistress, she certainly could lay no complaint at his door. Early and late he worked at his studies, denying himself recreation and even the pleasures of friendship, since "acquaintances eat up time like the locust." Time was his greatest treasure; he refers to its value more than once in speech and correspondence, and he used it with thrift. He devoted forenoons six hours long to law, his afternoons to the classics, and evenings, which always lasted till one or two o'clock, to history and general literature. His great physical vitality made possible his ambitions into whatever direction the mood of the hour turned this extraordinary capacity for work. The eagerness which he had spent upon general learning he turned to his legal studies; but an unerring instinct as to his special gifts led him away from the methods of law to its science, from its practice to its principles. His ambition to become a "jurist," or professor, not an attorney, directed his studies. His marvellous memory both helped and hindered him. It made him, as one of his classmates predicted, a "vast reservoir of law, a repertory of facts to which all may resort." But it choked any early growth of

originality or creative power which may have been hidden under this piled-up learning. It is probable, however, that his was never an original mind, and he was but following out the law of his being in providing himself with an array of learning which did indeed serve him as an efficient substitute. The few recreations which this indefatigable student allowed himself were comprised in an occasional visit to the theatre, — unless, indeed, Fanny Kemble was acting, when he became a devotee of the play, — and in not infrequent visits to the families of Judge Story and Judge Greenleaf, or occasional appearances at President Quincy's receptions. During this period of study he prepared a catalogue of the library of the Law School, and published a number of articles of a more or less legal cast, and successfully competed for one or two prizes. "It popped into his head" one day, we learn from one of his published letters, that he would throw together a few ideas on Commerce, and after a week of this hasty work he gained the prize of the Boston Society for the Diffusion of Knowledge, with an essay of fifty pages. In like manner he determined to try for the Bowdoin prize, choosing as the least difficult of the subjects given, "Are the most Important Changes in Society effected Gradually, or by Violent Revolutions?" He maintained the view that such changes are best brought about by gradual means, in another long essay, written in a fortnight's leisure from his other and regular duties. But it is by no means to be taken for granted that because these were hasty productions that they were therefore superficial. The already extraordinary extent of Sumner's reading, — made

available by his prodigious memory, — added to a capacity to find what he wanted in a book, amounting to genius, not only rendered him able to work with an unheard-of rapidity, but also made it natural and easy for him thus to produce scholarly work. Whether it was also the work of a scholar, is the whole question of Sumner's intellectual rank.

When Sumner exchanged the life of the law school for that of the law office, he proved true to his ambition in associating himself with Benjamin Rand, a lawyer distinguished more for his learning than for the extent of his practice; but he remained there only a very brief time before establishing an office of his own. Meanwhile, however, he began that career of social success which was no less remarkable than were his intellectual triumphs, with a two months' trip to Philadelphia and Washington. He had largely conquered his early shyness, and the stiffness of his college days had now become a sort of reserve which became him very well. A certain naïve simplicity and directness of character, with a combination of culture and enthusiasm somewhat rare, made him most attractive, as he was a marked man in any company. He was withal a charming talker, although his insatiable craving for knowledge sometimes interfered with his entire success in conversation. Altogether, the brilliant society of Philadelphia found him a most available and satisfactory lion. In Washington his personal attractions gave him his own place in the distinguished circle opened to him by the friendship of Justice Story, so that the young man of twenty-three counted as friends such men as Francis Lieber,

Chancellor Kent, Chief-Justice Marshall, Choate, Clay, Calhoun, Webster. This journey is worth remark for a double reason. It was the first figure in a social combination which unlocks many of the experiences of the statesman, — for personal friendship was the real secret of the situation nine times out of ten, personal knowledge the ground of much action; and it was a memorable journey also, because it introduced Sumner to Washington, and was his first glimpse of those political circles afterward his own familiar place.

As yet they had no solid attraction for him, but only a sort of fascination, and he returned to Boston to begin the practice of his profession in earnest. His office was the resort of a goodly company. George S. Hillard was his partner. They had for neighbours Chandler, Choate, and Horace Mann, and there came familiarly, great judges like Story, or brilliant writers like Bancroft. But clients were harder to find than friends. It is possible that the ordinary jury was not much moved by old law or historic allusion, and that Sumner's reputation for learning commended him more to editors and professors than to the public. He was not without cases, but his practice was small and unimportant. His time was no more his own than before, however. Legal articles continued to flow from his pen, and he edited a law review, while in company with Professor Greenleaf, or on his own account, he prepared several law-books. He lectured at the Law School — then "flourishing beyond a parallel" with fifty students — for three months of the year, filling as best he might the place of Story him-

self. He was made Commissioner of the United States Court, and Reporter as well; and to fill any unoccupied time he frequently lectured in popular courses, although his subjects had usually some professional bearing. By no means an orator, avoiding rather than seeking the political honours which frequently fell to the lot of his associates, as yet with only the most general interest in the slavery question, it would seem at first that he gave little promise of either the nature or the quality of his future fame. But longer thought reveals the promise of his later life, waiting only its potency to spring into vigorous being. His great learning and wide acquaintance — the right and left hand of all his work — were already more than begun. His enormous capacity for taking pains was already well trained to do his bidding without haste or without rest. Moreover, he had found what he would not or could not do. He had ceased to wish for literary success alone, and he had found he could not reach his great ambition by the ordinary practice of the law. The ambition remained, the equipment was ample: what then was wanting? Chiefly a motive, and therewith (and as its consequence) a definite trend of action. For just as truly as ambition and love of power were the inspiring forces of this life, and learning and friendship were its tools, just so certainly was moral enthusiasm its motive, not only vitalizing the rest, but co-ordinating them into a whole. It is true that these elements were differently combined as the years went on: sometimes one set of qualities was dominant, and again another; but in just so far as the moral idea ruled

him, just so far he was great, and greatly did his work. The legal essayist was no special favourite on the platform, but the young anti-slavery orator was, it was said, "like Ithuriel with his spear," till contemporaries could find no words for their admiration. The day of inspiration had not yet come; for the present, learning and professional and personal ambition were the motives which most affected him. There was still only the promise of greatness. Forty years later, the same rule held true; then love of power took the first place with him, and became the impelling motive, demanding control instead of influence: the moral motive was largely superseded, and in consequence greatness became a thing of the past. It was only the middle period of Sumner's life which was really great. In the first years it was a splendid promise, in the last years a magnificent memory; but its real grandeur was in that middle time when attainments and temperament and character, learning and power, — all that he was and might be, — were gathered together in the grasp of a great motive and fused to a white heat by a great moral enthusiasm. Many things began, however, in this the time of waiting, for it was hardly more. Most of them entered into his life, as the greater part of his interests always did, by the door of personal friendship. Dr. William E. Channing became one of his heroes, and influenced the deeper part of his nature much as Judge Story had done his intellect and character a little earlier. To this high and fine and strong inspiration the world owes a side of Mr. Sumner not altogether natural to him, and of which there

was ever too little, but furnishing that vitality to his moral nature which enabled it to endure unto the end. Doubtless it was this influence, too, which prepared the way and unconsciously set his face toward the strait path of the reformer.

At this period began also a certain grouping of friends greatly important to Sumner's whole life afterward. Felton, the Greek scholar, the poet Longfellow, George S. Hillard, lawyer and man of letters, Cleveland, the student of literature, and Sumner founded a social club, meeting on Saturdays, where the talk ranged over the whole field of literature and belles-lettres. From that time on, Sumner found in one or the other of these men that sympathy which no man can live without. Longfellow became his closest friend, and to him Sumner always showed a side of his nature closed to the outside world. At the Cambridge fireside he talked with a freedom unfelt elsewhere, and there he sought sympathy or listened to advice. There, too, he opened those too often hidden chambers of his personality; there he was domestic and affectionate, simple and loving, gay or sad; there he trifled or was serious. Another of his dear friends was Dr. Samuel G. Howe, — a friendship second only to that with Longfellow. It turned the young man's attention to philanthropy, embarking him directly on the turbulent waters of the prison-discipline controversy, and beginning that interest in peace questions which never left him. Horace Mann gave him still another impulse toward the moral side of public questions. Many a friendship or social circle of those years explains the pos-

sibility or the reason of action taken long years afterward. At every turn he met or dined or visited with some man or woman who was already famous, or who became a power in the great controversy where Sumner did his work; and so by his own knowledge of the individual behind the words, he was often enabled to interpret and duly weigh both speech and deed.

CHAPTER III.

1837–1840.

EUROPEAN JOURNEY.

In these days of constant international travel it seems sadly out of proportion to devote a chapter of a great man's life to a single European trip; but this journey bears an exaggerated importance in that life. If you ask Mr. Sumner's contemporaries for the secret of his fame, they begin at once to speak of this journey. If you seek the source of much of his knowledge of men and affairs, you find it in those three years, and it often furnishes the explanation of things otherwise contradictory. It is astonishing how often the world at large dwells upon it in estimating the man. In December, 1837, Sumner sailed for Havre. It was necessary for him to borrow the five thousand dollars he spent upon this tour, — money afterward repaid by his mother from the estate, — and he went against the advice of his most valued friends. Judge Story felt that this was the end of the law for Sumner, and President Quincy contemptuously remarked that Europe would only send him home with a cane and a mustache. But the determination to go at any cost, and in face of all obstacles, only marked his characteristic sense of his own value, and his consequent invari-

able habit of considering everything around him in its relation to himself, — a characteristic sometimes thought the inevitable accompaniment of genius.

A glance backward will place him before us more distinctly. Though only twenty-six years of age, he was the editor of several law-books, and for some years he had conducted a legal review. He was not only a professor at the Law School of Harvard University, but more than once he had taken the whole responsibility of that department, filling not unacceptably the place of Judge Story. Thus he was already an authority in his chosen profession, especially in the deeper lines of its science. As a student of letters his reputation was justly great, and ranged over the whole field of ancient and modern literature, and the list of his attainments or the catalogue of his reading was perhaps unparalleled. A character of firm mould and high ideals, his temperament gave him an immense confidence in himself, and a lack of imagination and sympathy helped to preserve this trait. A striking and handsome physique, a careful devotion to the exteriors of life, a great personal charm, with that quality best known as distinction, and an enthusiasm that pervaded all his actions, — these made up a truly attractive whole. His social experience never had been large. Wherever this young man had touched the outside world he had, it is true, opened the door into its chief circles, and beside his professional achievements and his learning must be placed a list of acquaintances among the great men of his own country extraordinary for one of his age; yet it was true that his own circle of

friends, if fit, was still few, and in Boston, though visiting in families since widely known, his circle was very small. Out of this limited and highly provincial life he sprang at a bound into the midst of the great world. He was right in desiring a wider atmosphere. Europe was like air and sunshine to the vigorous plant. He went away a brilliant young student anxious for professional renown; he came back in three years a man of the world, eager to show that he was one among that splendid fellowship, and determined to make his own place therein. Standards and aims had alike changed; and a new paradise had opened before him, justifying the prophecy of those who knew him best, that the law could no longer hold him. But if Mr. Sumner learned much from Europe, it is not too much to say that Europe learned much from him. Believing us to be a nation of shopkeepers, she found this American a young man of phenomenal culture. Supposing that all New Englanders were coarse in habits and essentially bourgeois, she met a brilliant young man of fashion, faultless in his appointments, and somewhat too pedantic. A Yankee in all his blood and breeding, he forced her to a new definition of that term; and every inch an American, he compelled respect for the country which had produced such a man. Never was a single journey of an unknown young man more fruitful. His purpose differed from that of an ordinary tourist. Says Edward L. Peirce: "He desired to see society in all its forms, to converse with men of all characters and representatives of all professions, to study institutions and laws, and to

acquaint himself with courts and parliaments. He had read many books, and wished to see the men who wrote them, and the men whose deeds they commemorated. He had read foreign law, and he aspired to comprehend fully its doctrine and spirit by attending its schools and observing its administration, with the view of using such knowledge in efforts to improve our own." Thus did the Divinity which ever shapes our ends bring about a special equipment for the career which Sumner himself had not even imagined. The knowledge of institutions and parliaments and foreign laws now gained served his own nation well; and the personal acquaintance with men of all characters and representatives of all professions now begun became in after years a potent factor in many an international question of vital importance.

The first six months were spent in Paris, at least half of that time being devoted to acquiring the language, but the chief objects of the journey were by no means forgotten. Lectures on every department of law were varied by lectures on every department of literature. The list of professors in Sumner's diary might furnish a catalogue of the Sorbonne in the spring of 1838, and visits to hospitals, churches, theatres, and salons were thickly distributed among his sterner studies, while he gave particular attention to the methods of the courts of law, and spent much time in observation and study of the government. Aside from the more purely professional results of these months, the wide and varied circle of his acquaintance may be discovered by a dozen names taken at random from the long descriptions of his let-

ters and journals, and selected as much for their variety as for their eminence. De Tocqueville, Cousin, Ledru, Constant, Chevallier, De Metz, Sismondi, the Countess Guiccioli, Madame Murat, mark certainly a most unusual range of society.

Notwithstanding all the delights of Paris, England was the Mecca of Sumner's hopes. He says, —

"There indeed I shall pluck the life of life. . . . The page of English history is a familiar story; the English law has been my devoted pursuit for years, English politics my pastime. I shall then at once leap to the full enjoyment of all the mighty interests which England affords. Here, then, is a pleasure which is great almost beyond comparison, — greater to my mind than almost everything else on earth, except the consciousness of doing good; greater than wealth and all the enjoyment which it brings."

His year in England more than repaid these extravagant anticipations. According to an English writer:

"Within a few days he became the favoured guest, and ere long the friend of men of law and men of letters, of judges and of statesmen, of country gentlemen and of women of the world, in the most brilliant year of the most brilliant society which London has known in the present century."

A whole month was spent in following the circuit in company with the English judges. Says the authority already quoted, —

"Never, perhaps, was the bench of justice filled by more men of mark and power. Lyndhurst and Brougham sat in the House of Lords beside Lord Chancellor Cottenham, whose merits as an equity judge were not con-

tested. Lord Denham presided with consummate dignity in the Court of Queen's Bench; Tindal in the Court of Common Pleas; Lord Abinger in the Exchequer, — a court which was also strengthened by the vigorous intellect of Baron Parke; Lord Langdale sat at the Rolls; Campbell and Rolfe were the law officers of the Crown. Follett, Pemberton, Pollock, Thesiger, Kelly, Charles Austin, James Wigram, Knight Bruce, and others, their rivals, might be heard in a single cause. Bethell and Cockburn brought up the rear."

Of his social experiences Sumner himself said, in a letter to Judge Story, that in England, Scotland, and Ireland alike he "visited many — perhaps I may say most — of the distinguished men of these glorious countries at their seats, and have seen English country life, which is the height of refined luxury, in some of its most splendid phases." London was an even greater success. "This London is socially a bewitching place," he says; and well he might. There is no limit to the attentions he receives. At Victoria's coronation he is given a double supply of the coveted tickets, and chooses between places. At the House of Lords he has a "place always assigned him on the steps of the throne, in the very centre of the house," where he remains even during divisions; he enjoys a grand ball at Lord Fitzwilliam's town-house till four o'clock in the morning, and makes a night of it Christmas night at the country-seat of the same nobleman. For want of days enough, he declines as many invitations to breakfast and dinner as he accepts; and it was said of him that "his popularity in society became justly so great and so general that his

friends began to devise what circle there was to show him which he had not yet seen, what great house he had not yet visited." For months he has no time to see the sights, because "his days and nights are given up to society, men, courts, and parliaments." The variety of his acquaintances is infinite, and his very full letters to his friends constitute a picture of English social life of that period in its most attractive phase. He everywhere encounters his friends the justices; he meets at a single dinner Hallam, Whewell, Babbage, Lyell, Murchison, Buckland, Sedgwick. He takes wine with the Bishop of London, and sits in front of Louis Napoleon at the opening of Parliament. His four days at Oxford are all bespoken beforehand, and at Cambridge he dines first with Whewell, and afterward with the young Lord Napier, beginning a friendship which was continued in Washington in 1858. He spends the day at Windsor, the guest of the household, and goes with Sir Frederick Pollock to the Lord Mayor's banquet in Guildhall. He is "put up" at four clubs, — the Athenæum, the Travellers', Garrick's, and Alford's. He drives with one great lord after another, and he is a welcome guest in the brilliant literary circles where Samuel Rogers still reigned, where Macaulay still talked. He listens to Talfourd's stories, and he caps Greek epigrams or Latin verses with Brougham. With Brougham, too, he discusses household decoration, or cooking, or English politics, as the case may be, and he weighs the words of that statesman against those of Lord Durham. He meets the beautiful Mrs. Norton one day, and the next he spends the evening on

Mrs. Shelley's sofa. Joanna Baillie and Harriet Martineau are equally his friends. He goes to Chelsea to meet Leigh Hunt at Carlyle's, and he takes tea with Wordsworth in the Lake country. He is "fortunate in knowing at their hearths the three great men of the 'Edinburgh Review,' — Smith, Brougham, and Jeffrey." He discusses history with Hallam, he knows Browning as the author of "Paracelsus," and Landor is his friend. The last act in the social drama is a dinner at Holland House.

It is worthy of note that the motive of Sumner's foreign travel was to an extraordinary degree "a passionate desire to see and know the wise and good and great men of other countries," and it was remarked by his friends that there was no trace of what is called "fashionable life" in any of his letters. Indeed, these letters furnish an unconscious revelation of great interest; their whole story is a story of intellectual pleasure, of men, not things. Even their interest in the great masterpieces of art was historical or literary, not artistic. In one sense the most valuable result of these experiences was his personal acquaintance with young men whose names were not yet known to the political world, but who, keeping company *pari passu* with the young American, became, like him, national leaders. It is not extravagant to say that the nation was sometimes indebted to these and other friendships. Who shall estimate, for instance, the value and extent of the influence of the Duchess of Sutherland, Sumner's dear friend? As Mistress of the Robes, it is not easy to measure the effect produced by her stanch opposition to slavery in a time when

the chief reliance of the United States in England was the influence of the Throne. If Sumner's phenomenal experience be marvelled at, it must be remembered that brilliant and accomplished Americans were by no means common visitors to Europe in those days. This young man was, in the estimation of one of his friends, "the most attractive young man he had ever known;" and, moreover, he had a certain conservatism specially attractive to his hosts. His profound admiration for everything English won golden opinions as to his standards of judgment and taste; but the chief secret lay in this conservatism and in mental traits more nearly English than American, which immediately established a bond of sympathy. It was this stay in England that settled the course of Sumner's life. He still thought himself to be looking forward to a legal career. While in Paris he was contemplating a philosophical treatise on law, and as late as 1839 Judge Story was planning to leave the Law School in his hands, — doubtless his own ambition; but insensibly to himself his ideas were changing. As has been well said, "During his stay in England, Sumner enjoyed a rare opportunity of observing closely the men of that day who had been distinguished in parliament or in the cabinet. Their broad culture, their delight in classical studies, their large knowledge of history and international law, their high-bred courtesy and finished address in debate, improved his imagination and shaped his ideal of a statesman." The delights of a life of action seized upon him, and that subtle fascination exercised by political life and the control of government took possession of

him, never to let go. The waiting ambition took form at last, though slumbering still. To be a statesman was a more delightful road to a higher success than any the law afforded. His world was a new world, his desire a new place in it.

When Sumner left England in March, 1839, he went first to Paris for a month, — where his new interests appeared in an elaborate paper defending the position of the United States in the Northeastern boundary question, — and thence to Italy for the summer. While the thronging associations of that home of history had their special charm for him, and he feasted on her bays and her mountains, her ruins of every age, her architecture and her art, it was not to these that he turned first and chiefly. The language and the literature of Italy were what most attracted him; and no better illustration of his method of attacking a subject, or his unparalleled power of work, can be found than the manner in which he spent his time in Rome. For three months he rose at half-past six, and worked till six at night, after which he visited the sights of the Eternal City; and during this time he read in the original, Dante, Tasso's "Gerusalemme," the "Decameron" of Boccaccio, the "Rime" of Politian, all the tragedies of Alfieri, the principal dramas of Metastasio, — some six volumes, — the "Storia Pittorica" of Lanzi, the "Principe" of Machiavelli, the "Aminta" of Tasso, the "Pastor Fido" of Guarini, and much of a half-dozen other famous or little known authors. Nor was this enough. Before he left Italy he read other works of these authors, and much more of poetry, the drama, history, and purely professional

works. He spent at least six hours a day in study while travelling, since the country was sometimes dull, — a method of enjoyment, it may be said, which he never altogether laid aside. In Washington he would frequently prepare for a drive by stuffing his pockets full of books, which he read steadily until he returned. In Italy he found much occasion for another favourite habit, — that of taking down all the books in a library and reading their titles, by which means he learned at least where to find the information he wanted; and it was his custom at this time to read ten newspapers a day, — all he could find of the journals of America, England, France, Spain, and Italy. It was said of Sumner by one of the friends he first met in Rome, but afterward grappled to his soul with hooks of steel, Prof. George W. Greene, "Knowledge he appeared to seek for its own sake and as a means of usefulness." For its own sake, evidently; but for the rest it is more probable that he sought knowledge not so much as a means of usefulness, as that he might use it. To him a book was a weapon, and a library an armoury of weapons the kind and manner of which it was well to know, that he might be prepared for any contingency. The desire to fight for an end had not yet arisen within him, but only the desire to become great by fighting.

The last winter of his foreign tour was spent in Germany, where he again sought the special pleasure of men and society; but as befitted the genius of that country, his friends here were among her learned men, — Raumer, Ranke, Humboldt, and the great doctors of law, Savigny and Thibaut; though he

received special attentions from the court and William I., then only a prince, and from Prince Metternich; and he kept up his prodigious study of language and literature. This was practically the end of Europe. A few more weeks in England, and he bade a reluctant good-by to the scenes of his studies and his triumphs, and turned his face toward Boston and practical life.

CHAPTER IV.

1840–1845.

LAW PRACTICE IN BOSTON. — DOMESTIC LIFE. — PERSONAL CHARACTERISTICS. — SOCIAL POSITION. — ORATION, "TRUE GRANDEUR OF NATIONS."

THE five years which succeeded this extraordinary experience were among the least eventful years of Sumner's life. They counted for less in the general perspective. Their chief value was in a sort of settling process, for when they ended with the famous oration on the "True Grandeur of Nations," and he definitely entered political life, some things were established which both by suggestion and elimination made the future plain. So far as incident was concerned, his life went on simply enough. As before his journey, there were few clients and much legal writing, with some lectures at Cambridge, and the hard work necessary to the editing of twenty volumes of law-reports. It is hardly surprising that the law seemed something of a drudgery. The friend and companion of English judges and German scholars did not find the small practice of a young lawyer very exciting. Nor was it easy for the favourite of an aristocratic society, himself unduly reserved, to discover that condescension is hardly the attitude

most satisfactory to a client, or that even brother-lawyers may not care to hear for hours together of the legal customs of France. Thus it came to pass that notwithstanding some professional success and a still growing reputation, Sumner felt himself a failure at the law, and although perhaps not realizing it himself, was ready for other work.

His domestic and personal relations had greatly changed. During his stay in Rome, in the spring of 1839, his father died. Father and son were too much alike for entire harmony, and the dominant quality so largely developed in both had early clashed, so that for some time Charles had not lived at home. On his return from Europe, however, he went directly to his mother's house at 20 Hancock Street, Boston, which remained thereafter his home. Three of his four sisters were dead; one of them, the beautiful Mary, was a particular favourite of the eldest brother, and her long illness and death moved him profoundly. His brothers were widely scattered, — one in South America, another engaged in that curious attempt at the millennium at Brook Farm, George already much at home in Europe, and Albert married and settled down to a life of elegant leisure. Only the youngest sister, Julia, still belonged to the mother's household. Sumner's circle of friends had changed greatly also; Cleveland, the friend who called him "Charley," was gone, Howe was married to the brilliant Julia Ward, and Longfellow had set up a roof-tree in Cambridge.

Sumner made frequent trips to the mountains and the sea, riding horseback with one young woman or

another at the old Knickerbocker country places on the Hudson, enjoying the society and hills of Lenox during a convalescence from the only illness recorded of him till his accident, running down to New York for a day or two, or a dinner. Everywhere he met the most famous people at hand, and altogether led an ideal life for a man of the world, though not always to the advantage of the young lawyer. The domestic side of his nature was rarely shown. Indeed, he was a man of curious contradictions. His sister Julia, in speaking of this very time, says : "There was a world of love and tenderness within him often hidden under a cold exterior or crusted over with a chilling coat of reserve;" and she dwells with loving recollections on his interest in her studies and pleasures, his attentions to their sister Mary in society, and the frequent theatrical expeditions in which they all engaged. Full of affection, playful, tender, over-sensitive, he was known to his friends as genial and amiable, eager to do a kindness, longing for love and care, much coveting the special satisfactions of wife and home. Yet even in these younger days of enthusiasm, his affection was reserved for a few. His care for his family was largely a sense of responsibility; his letters to them were didactic in the extreme, and painfully superior; and even his sorrows were soon assuaged. Moreover, while to one friend he lamented the lack of wife and home, to another he congratulated himself on the freedom of the bachelor state. Many stories are told of kindnesses to individuals and his amiability under all tests. Of this sort were his labours to collect the money to send a poor boy to college; the

time and trouble he gave to the art education of a rich young Bostonian, with invaluable results to his native city; or, later on, at one of the busiest periods of his life, his suggestions for the reading of a young girl in Washington. Nevertheless, the world at large, from the beginning, found him stiff and reserved, very difficult of approach, and somewhat careless of particular interests. Such contradictions are not easy to explain. They are perhaps best left to speak for themselves, in a world where the personality of men is ever mixed, and where the temperament often struggles with the heart. Two things may be said, however, as bearing on the matter. The lack of sympathy, already noted as a prominent characteristic, effectually prevented Charles Sumner from entering into the feelings of a person whom he did not like or understand. Therefore it must needs be that the friendly and beautiful side which he showed to his congenial friends, he could not show to the general public. Moreover, his other characteristic, of regarding all subjects and all people as they concerned him, grew as life went on. At this time it was only a trait, and while it appeared too often and caused some action hard to explain in view of his reputed qualities, or settled questions of consideration and affection somewhat unsatisfactorily, it was not yet constant and all-pervading. To different people and at different times Sumner showed different sides, even more than men usually do; but during these years of his life the charming, genial, amiable, domestic side greatly preponderated over any other. "Friendship, sympathy, and kindness are a peculiar necessity

of my nature, and I can have few losses greater than the breaking of these bonds," he said; but it was also true that at all times — though much more in later life than now — he was not always careful to offer his side of such friendships, unless there was much to attract.

His social position in Boston was at its height; never before had he secured the entrance into circles which now opened to his European reputation, but which speedily enough closed again. At last he was welcome in that curious penetralia of old Boston known by Dr. Holmes's clever phrase as the "Brahmin" set. For a little while, and by a sort of sufferance, he was admitted to that exclusive circle. It was the *visé* of Europe which gave him the sufficient passport. Certainly the son of Charles Pinckney Sumner, however large a place that official held in the world, had no right of inheritance in "society;" and the brilliant young scholar had made his own position in those literary circles which had little to do with this selfsame social world. But after his return from England, houses opened to him that never had opened before, and he grew to be a favourite in circles where he was an unknown quantity at an earlier date. At that time much more than now, political lines were closely drawn in social circles. To be in good form it was absolutely necessary to be a Whig. Bancroft was already cast out because he had become a Democrat, and his social limitations were a prophecy of what befell his friend later on. But Sumner was in good and regular standing in Whig politics, and regarded as one upon whom the

mantle of office was likely to fall. Thus, intimately at home in that brilliant literary group which counted among its stars Channing, Felton, Washington Allston, Choate, Samuel G. Howe, Bancroft, Prescott, and Longfellow, and a welcome guest in more exclusive circles, he was much in society, and enjoyed both its gayeties and its quieter aspects.

His public spirit was easily aroused, especially where his friends were concerned. It was he that brought about the purchase of Crawford's statue of Orpheus for the Boston Museum of Fine Arts, notwithstanding the necessary subscription was secured with difficulty; he raised also with still greater difficulty, and at last with some financial trouble for himself, the five thousand dollars' testimonial to Horace Mann for services in the cause of education; and in many like ways did he serve his friends and his public. His mind was good soil, in which the seed of public problems brought forth a hundred-fold. English friends had already interested him along such lines, for happily his visit abroad was just at a time when the atmosphere was surcharged with moral questions, and the first spring of many of Sumner's philanthropic efforts is easily found in his friendship with English reformers, or his discussion of the duties of government with the English aristocracy. In the same manner when his dear friend Dr. Howe found himself between the upper and nether millstone in the Prison Discipline Society, Sumner was all on fire at once. His study of French prison systems and his personal acquaintance with De

Metz, the creator of Mettray, gave him much knowledge not generally possessed by his opponents, and he proved an able advocate of the separate system, then believed to be almost a panacea for crime by such pœnologists as Dorothea Dix and Samuel G. Howe.

In such labours, such distractions, and such spasmodic efforts the five years slipped away, and suddenly there came the moment which had waited for him; and thereafter, though the next five years wore much the same dress as those just before, they looked in a different direction, and marked a new beginning, — the entrance to his career, the preface to his work. On the 4th of July, 1845, the city of Boston, as was her custom, assembled in state to celebrate the beginnings of the nation; for in those days we were still counting the years from our birthday. It was the occasion of much ceremony and such military glory as inhered in the militia, the veterans of 1812, and the memories of Bunker Hill. It was, moreover, the time when men were hot with the desire for war with England, — a desire born of outraged rights, but nursed in ignorance, — and when a war with Mexico was already half begun, based on the burning question of slavery. The occasion and the audience were well worth a young man's pride, and Sumner's reputation made his selection as orator in every way natural. As usual with him, he chose a subject of which his mind was already full, — the value and the duty of international peace; and for two hours he poured forth a stream of classical allusions, historic facts, and polished periods. He had thought much

on this subject, and his convictions were pronounced. His moral enthusiasms, still somewhat undisciplined by life, led him to this point of view, and his friends Mann and Howe had fostered the tendency. In England he had known many advocates of the doctrine of universal peace, while his intense interest in that country, and his new sense of the value of relations with her, made an English war seem to him more than ever abhorrent, while his feelings as to the profound wrong of slavery entered into his horror of the proposed Mexican invasion. Who shall say that his own ambitions did not also lend strength to his desire to vindicate some other distinctions than those of war? On the value of peace his was indeed a full mind.

The lack of fitness in his subject for the occasion — further, its absolute unfitness — probably never occurred to him. We shall have occasion more than once to see how his habit of centring his thought round himself and his own views hindered his seeing the views of others in any perspective whatever. Totally unable (as must be said so often) to comprehend or care for the position of his opponents, he never could understand the effect of his own words. To this mental peculiarity, rather than to any intentional discourtesy, is to be attributed his choice of a subject and his treatment of it, his attacks upon the profession of the men around and about him, his arguments against their patriotic conviction, his espousal of the views of a small part of his audience, his criticism of the national pride of all before him. Yet such was the force of his learning, the power of his

brilliant oratory, and the fascination of the speaker that thenceforth he was known as a great man. Fame was slow in coming to him, but from this time it was his permanent possession.

This oration marked him for public life. Those who listened in dismayed rage, the great men who thought it necessary publicly to dispute its positions that evening, and the distinguished friends who upheld it, all felt the force and power of the orator. That Sumner believed it to be the beginning of his public career, is evidenced by the fact that he gives it the first place in his collected works. What he was at this parting of the ways, his lifelong friend George F. Hoar has beautifully summed up in reviewing his biography. Senator Hoar says of Sumner at this time, —

"We have here a man of thirty four, of a nature vehement and self-confident, tempered slightly with respect for elders; of strong family affections, taking great delight in friendship; so attracting and so being attracted by the best and greatest men that in that large circle of intimacies, embracing a list of famous names unapproached by any other biography of modern times, there cannot be found the name of a bad or mean, and scarcely that of an obscure, man; of an innocence and purity absolutely without a stain; of a singular sincerity and directness of speech and conduct; of marvellous industry; of almost miraculous memory; without humour; without a personal enemy, never having had a quarrel; loving the contemplation of the highest models of excellence, and of the loftiest and simplest maxims of virtue; delighting especially in the study of that science which applies the rules of the moral law to the conduct of men; fearless of opposition; of commanding presence; with the faculty

of rapid and thorough investigation; with vast stores of learning always at his command; of a magnetic eloquence which inspired and captivated large masses of men as he moulded the lessons of history, the ornaments of literature, the commandments of law, human and divine, into his burning and impassioned argument."

CHAPTER V.

1845-1850.

POLITICAL CONDITIONS, 1840–1850. — FREE-SOIL PARTY. — SUMNER'S FIRST INTEREST IN POLITICS. — BOSTON OSTRACISM. — LITERARY ORATIONS.

If the five years before 1845 were years of waiting, the following five were largely years of preparation. Sumner was no longer young, but fast hastening on to his prime. Nevertheless, his career did not develop till 1851, when he stepped into public life at that point where it usually culminates, — the United States Senate.

The decade between his life in London and his life in Washington, though overshadowed by the next ten years, was not uneventful in public affairs. The National Bank difficulties left their train behind in disturbed finances and legislation frequently conflicting with itself as the controlling party changed. The brief but bloody war with Mexico, and the long congressional struggle, ended in the annexation of the vast and valuable domain of Texas. The treaty of 1846 gave us a new boundary in the Northwest, preserving for us royal states, and, through a fatal mistake, losing as much as it gained. California was saved from both Mexico and England by a series of

stirring events, and was scarcely a territory before she was also a state, and had changed the whole course of our national development. For good or for ill, the spade of that workman on Sutter's Ranch which turned up the few grains of gold, offered the United States her first taste of the vast mineral wealth on which she has grown so great, and not only altered the nature of her problems, but rapidly — too rapidly — hastened their unfolding. The Mormons began their baleful existence in Utah, and the Seminole War left us the double legacy of Florida and of the long struggle with our Indian difficulty. In things political there were many changes also, some of them important. In the White House, Jackson gave way to Van Buren, and Van Buren to Harrison and Tyler, who were speedily followed by Polk, and he in turn succeeded by Taylor and Fillmore. Thus, by reason of death and political change, sixteen years — four administrations — saw six Presidents, marking a constant fluctuation of parties. The Whig party saw its first success, grew great, and began its decline; the Democratic party was rapidly regaining the control it preserved for ten years. And out of the confusion of the time grew up more than one attempt, of greater or less importance, to create new political centres. The question of slavery was the vital question all over the country. This divided the Whigs into Cotton Whigs and Conscience Whigs, and this broke up the Democrats into unreconcilable factions; and out of the tumult in men's minds and the divisions of judgment as to duty or expediency, arose one of those attempts at a new party which developed into perma-

nent results. In 1839 first appeared the Liberty party. Local political divisions in the state of New York (then as now so important to the success of any election), and the intrigues growing out of them, gave it an adventitious strength, and out of it eventually sprang another organization. That group of famous politicians in New York, led by the king-maker, Thurlow Weed, were anxious to prevent the nomination of Clay by the Whigs. To this end, through careful and somewhat intricate manipulations of the political forces of their own state, they caused the defection of Whigs in New York which led to the nomination of Birney as a "Liberty" candidate. This secured, by hidden ways, their purpose in the defeat of Clay and the nomination of Harrison by the Whig convention, as one who "would carry New York." Thus, like the cat in the fable, the anti-slavery men pulled the chestnuts out of the fire with little profit to themselves. In order to revenge a grudge against Van Buren and to defeat Clay, was brought about — through the effort of their enemies — the organization of the Liberty party, out of which subsequently grew the Free-Soil party, developing afterward into the Republican party.

During these political strifes and changes Congress was still and always occupied with the more direct fight over slavery. The right of petition against this evil was recovered in 1845, after a prohibition for a full score of years; but the only change was in the immediate occasion of the debate. Its nature remained the same, and its fury was unabated, while the enormous acquisition of territory in both the South and

the North was as fuel to the flame. The controversy progressed by stages, and it is necessary to recount these steps, well known as they are, to make clear the situation. The bitter fight over Texas ended in the measure which repealed the Missouri Compromise, leaving open the whole disputed question of the territories; and with this same "peaceful settlement" came the Fugitive Slave law of 1850, which took that matter out of the hands of the states and gave it to the nation, — a law whose enforcement perhaps did more to break up slavery than any other single measure, by reason of the public sentiment it created throughout the North. From the organization of the territory of Oregon till the secession of South Carolina in 1861, the territories furnished the battle-ground for national freedom or slavery. Beginning even with the acquisition of Texas, there was the never-ending attempt to attach to each act that created a new territory, the famous Wilmot Proviso prohibiting slavery in all the territories. With New Mexico and Utah came the doctrine of "Squatter Sovereignty," which now and again bore unexpected fruit for freedom in California and Kansas. Slavery — and even the slave-trade — in the District of Columbia became a not inconsiderable factor in the final issue. Thus back and forth went the battle. Many a minor provision was the occasion of great debate; many a public man will go down to history because of some measure proposed in that time, or some ringing speech; and many a statesman made or marred his whole career by an ill-considered vote or hasty letter in those fateful years. It was during this

time that Toombs hurled his fiery invective against the North; it was then that Calhoun gathered up his failing energies for his great compromise measure, so well adapted to secure forever Southern supremacy; it was then that the brilliant career of Henry Clay culminated and died out, and then that Webster sold his birthright.

This was a stirring time in the national life. Massachusetts felt her share of the excitement, and marched in the van of political action, as she is wont to do when she marches in rank at all. More often she carries on that guerilla warfare so dear to her, rashly venturing into the outermost post of danger, following her own impulse to glory or destruction as it may be, but sometimes leading the whole army to the onset. She felt particularly the political divisions of the latter half of this period. The Whigs within her border were torn and divided by personal feeling. Webster's fluctuating positions had much to do with this, and other personal ambitions and local jealousies entered into the problem. These complications bore great fruit in Massachusetts, as like intrigues had done in New York. Abbott Lawrence and other prominent Massachusetts men in the Whig convention sent Clay to his defeat again, and worked for the nomination of Taylor, hoping, it is said, thus to secure the place of Vice-President for Lawrence himself. And out of rage and disgust at the nomination of Taylor, — a slaveholder, and hero of the war fought for slavery, — arose the bolt of Henry Wilson and Charles Allen, delegates from Massachusetts to that same convention; and therefrom grew the Free-Soil party of Massachu-

setts a few weeks later. Thus as the Liberty party sprang from equal parts of principle and political complication in New York, so the Free-Soil party sprang from equal parts of principle and political intrigue in Massachusetts; and later on by the same methods came the Republican party, heir of them both. These and other factions divided the politics of Massachusetts and excited her citizens. Sumner, although not altogether oblivious, at first was not greatly interested. His thoughts were occupied for the most part with his friends, his correspondence, literature, and philanthropy, although occasionally he would side with one faction or another, or show some excitement over the question of slavery. But with his Fourth of July oration began a new era. His success made him a favourite speaker for all occasions. In public matters, his interest in moral issues, and his opposition to slavery and the Mexican War, not only caused the Whigs to look askance upon him, but gave him something more than a trend toward the Abolitionists, and greatly increased the sympathy between him and men like Garrison and Phillips. So it came about that among the beautiful orations and addresses there began to appear a plentiful sprinkling of political questions, although literary or scholarly topics predominated.

In the more numerous class were the famous address to the Phi Beta Kappa Society at Harvard, where, under the title of "the Scholar, the Jurist, the Artist, and the Philanthropist," he eulogized his friends Pickering, Story, Allston, and Channing; the oration on "Fame and Glory" at Amherst College, an apotheosis

of the brotherhood of man; the "Law of Human Progress," in which he prophesied the great future of humanity to the Phi Beta Kappa men at Union College; and another expression of his views on war, delivered to the Peace Society in Boston. These and others of a like nature are the last of their kind. In all the fifteen volumes of his works which Mr. Sumner himself collected from his twenty years of public life, — including even letters in which he declined to speak, — we find after 1850 scarcely a dozen productions of any sort not delivered to the Senate or on some political subject. From this time he ceased to be the man of letters, he became the public man. The subject-matter of these early orations dealt mostly with principles and philosophies of life, with the moral questions so dear to his heart, and the connection therewith of the men he eulogized, or the interest in such issues he would inspire in the audience before him. High purpose was his test of excellence, duty was the guide he invoked. As in the "True Grandeur of Nations," these addresses were heavy with ancient and modern classics, and teemed with references to that foreign standpoint said to furnish a contemporary posterity. Indeed, a full appreciation of their allusions was beyond the popular ear, and required a wide scholarship. His style he himself has somewhere called an "architectural style;" and in truth it was a building, not a growth, for each oration was carefully planned, and the structure built up piece by piece, until it became a mighty edifice, — but the edifice was a colosseum. The plan was suggested at the beginning, continually re-

ferred to and gathered up, and the argument condensed and repeated at the close. The reader or hearer was left in no doubt as to what Sumner wanted to say. Occasionally, as when he spoke on "White Slavery," the speech became a perfect arsenal of facts, all ranged round some principle, supporting or defending by the indirect means of their selection, quite as much as more directly. The rhetoric was lofty, so much so that it was sometimes stilted; but his beautiful choice and collocation of words, and his power of illustration, lighted up the close massed phrases like the banners of an army; and a great personal enthusiasm gave the fire and force, the life and swing, of which so much is said, but which is somewhat wanting to the printed page. Nevertheless, these are real orations, strong with logic, beautiful with the stately beauty of the classics. They are of a style already past and gone, and this age, enamoured of the colloquial, sometimes calls them heavy and pedantic. It were better to discover that these were literature as well as argument; orations, not discourses, — to discover once more a beauty that is faultless, if not familiar; a style that, if too heavy with ornament, is still so grand and majestic that it can safely carry such elaboration.

But amid these elegant occupations there began to appear a new zeal for public affairs. The humanities were fast giving way to humanity. With the organization of the Free-Soil party, as has been said, Sumner stepped boldly into the field. The occasion which pushed him to the front was an open letter to Robert C. Winthrop, arraigning him for his vote in the House of Representatives in favour of the Mexican

War. The letter was too severe and scathing to be either forgotten or forgiven. More than any other one thing it fixed Sumner's position as a representative of the anti-slavery men of his state, and it was the first step in a course which in a few months shut in his face the open doors of Boston society. This attack upon Winthrop and his criticisms of Webster, — the idols of conservative Boston,—with his avowed sympathy for the despised Free-Soilers, placed him without the pale of recognition. The fashionable world chose public places like subscription-balls in which to snub the young man, pointedly turning away from him. Webster hardly spoke when they met on one such occasion, and many who had been proud to call him friend now declined to know him. The great houses whose welcome Sumner had so prized closed their doors to him. Many drawing-rooms where this young man of the world had found a ready entrance most agreeable to him, such as the Ticknors' and the Eliots', literally refused him all social relations; and one could count on a few fingers the homes where he was still an honoured guest. Charles Sumner's advocacy of the slave was at the cost of that which just then he most valued in life; and, especially sensitive to slights and social neglect, he suffered keenly. To the end of his life he remembered the sting and suffering of this time, when, just as he had achieved a position long desired and greatly appreciated, he lost its proud foothold by his own act. It is idle to inquire whether or not he expected this consequence. When he entered on the work, he probably did not anticipate this result at all;

doubtless he thought his position and his personal attraction were such that he was secure. Moreover, he was not wont to think of consequences, nor did he much care for them,— partly from a noble devotion to a cause he believed right, partly from a supreme confidence in his own place and power, and a certain obstinacy of purpose that helped greatly to carry him through any difficult duty upon which he had once entered. But say what we may of natural causes and reasons of temperament, the fact remains that, without regard to present or future, Sumner calmly stepped out of the place he so coveted, and took up the cause of human freedom when above all others it was despised and rejected of men.

It was the more extraordinary that Sumner broke away from the old Whig party, because naturally his sympathies lay there. He was all his life an aristocrat, and not a democrat. He espoused the cause of the oppressed on the broad lines of humanity. He worked for the downtrodden, but rarely if ever did he enter into their suffering, and feel *with* them; he was their friend, not their brother. This is the aristocratic temper, and this was born in Sumner, child of the people though he was; and by reason of it he was all the more truly son of New England, for nowhere does the pride of race beat stronger than in the pulse of those humble and homespun folk. We have need to remember, therefore, how much Sumner flung aside when he stepped into the ranks of the Free-Soil party in 1847.

It goes without saying that he was eagerly welcomed in those despised ranks to which he brought a

certain element of academic distinction sadly needed. From that time on, he spoke or presided at all their conventions, and was everywhere one of their favourite orators. Once or twice he accepted the congressional nomination from the new party, and was summarily defeated, as indeed was expected. Meanwhile he made all roads lead to Rome. Whether it was an argument before the Supreme Court on "Colored Schools in Boston," or a popular lecture with the specious title of "White Slavery in the Barbary States," it was always a tremendous assault on slavery; and anti-slavery platforms or pusillanimous conventions of half-hearted Whigs alike rang with his fierce denunciations of the iniquity.

CHAPTER VI.

SLAVERY.

THE question of what turned Sumner's thoughts to slavery, or rather what determined him to enter the fiery path of the crusade against it, has already been partly answered. In after life he was so identified with this crusade that it is difficult to realize a time when he was only generally interested in it. We have seen him grow more and more absorbed therein, and we can better understand the influences that completed the work by briefly considering the condition of the country. The long struggle with slavery, which had begun with the beginnings of the nation, was coming to its height, and all the air was full of the noise of it. Henry Wilson, one of the most influential actors in the drama of freedom, said of this period that it had "no parallel for the intensity, variety, and disastrous results of the slavery struggle."

It is now almost impossible to reproduce the atmosphere of that time. We of to-day can hardly realize the institution of slavery as it actually existed. More than a sixth of the whole population of the country were bought and sold at the whim or neces-

sity of the moment. Every relation of humanity was reversed. Kindness was the policy of the rich slaveholder, but brutality was the resort of the small owner. Here and there, often indeed, the relation of a master to his slave was that of a patriarch, drawing heavily on the sense of care and responsibility, and perhaps making large drafts on the yearly income also; but at the best, death or disaster might alter all this at a moment, and always fear and terror lay in the background. The "chattel" worked as beasts of burden work, — for no result that he could feel; suffered all things, and had no redress. Man or woman, — the strength of his manhood, the beauty of her womanhood, only added to the dollars and cents the creature was worth. The exigencies of a financial situation or the personal brutality of a master or more often of a Northern-born overseer, not infrequently made work to the death the regular plan of operations. Ingenuity was taxed for new horrors of punishment, — deemed so necessary to prevent individual flight or concerted uprising. The bloodhound was the lapdog of this barbarous civilization. Children were torn from their mothers; marriage was only a dream, dissolved with the morning of some new day. To the slave, family life was not; for profit and passion united to produce a state of morals impossible to describe plainly. It was a crime to educate ever so little these children of the night and darkness; for none knew so well as these Southern chevaliers that learning was power. Even religion turned two faces to the South, — the holy face of sympathy to that poor and sorrowful race whose only

help lay in the Friend of the friendless; and the mocking face of tradition to that race of masters whose patron saint was Abraham, and whose sincerity was the very fountain of error, since their Bible was their authority for sin.

But if darkness and cruelty and death made up the brief and terrible annals of the slave, in some sense a worse blight fell upon the master; since for him the curse reached the core of manhood, and attacked the very centre of character. A life to which sensuality brought success produced a strong and fiery animalism. The necessity of sharp and strong control under any circumstance, and a sense of superiority inbred in the race, established a habit of domineering, always present, and woven into the very consciousness; it was not so much love of power that moved those fiery-tempered men, as the certain conviction that power was theirs of inalienable — ay, of God-given right. Love of ease was the right hand, and indifference to surroundings the left hand of a semi-feudal existence. Precedent and tradition made the intellectual standards. Education began with the classics, and ended with Pope; religion was in all its relations a question of authority. Strong and noble men were there, delicate and beautiful women, giving a brilliancy and a charm to society that covered its open sore and hid it from unobservant eyes. Yet all things — living and the dread of dying, daily duty and immortal hope — were twisted and intertwined with slavery or centred round it. Its practices fixed social customs, its justification created theories. The historian of American literature has

beautifully shown the opposite foundation, the conflicting philosophy, the irreconcilable life of the children of the cavalier in the South, and the descendants of the roundhead in the North. The one was isolated and splendid, fed with a sense of superiority and drinking the wine of individual life; the other gathered together into industrious and commonplace communities, born with a sense of human rights and advocating universal brotherhood, — the one proudly resting on slavery, the other in a never-ending dispute over the terms of freedom.

In the North, the public conscience was at last aroused; but it was in that restless state which ever urges to action, and is ever quieted with a new expedient. The iniquity of slavery could no longer be hidden by Southern splendour or Northern business interests; nevertheless, it was only here and there that it was seriously faced. Conservatism was satisfied with things as they were; political ambition was complacent; above all things, commerce was eager to preserve its vested interests in a large and rich section. If the South was blind, the North was criminal. Nevertheless, all through the North were men and women who cast all these things to the winds, and sacrificed property, position, political power, for public duty. In the decade between 1840 and 1850 the excitement grew intense. While in the South any mention of slavery roused a bitterness of speech and action now incredible, at the North any advocate of the black man encountered a more inexcusable bitterness. The friends of the slave were still unorganized, and they were for the most part a motley

crew. There were Abolitionists and believers in colonization; there were Quakers who were friends of the slave at any cost, and Quakers who were non-resistants; there were those who would emancipate by purchase, and those who would tear the slave from his owner; there were the gradual emancipationists, and the fiery followers of Garrison and Phillips who cried out for a dissolution of the Union by the secession of the North, and denounced the Constitution as a "covenant with death and a league with hell." All these factions and individuals fiercely upheld their own views, and all would have each his own measure or none. There was neither unity of method nor even unity of aim, but there was constant and violent dispute and recrimination. Men and women who separate themselves from their fellows for a principle are by no means smooth and compliant companions; and strong individuality, when beset and persecuted for conscience' sake, surely begets obstinacy and angularity. It is true enough that many an early Abolitionist was all that is disagreeable in the popular epithet "crank;" but we of to-day may well erect monuments and study their biographies and name them martyrs, for they suffered, and we triumph. Moreover, all who suffered for righteousness' sake were not of this fierce spirit. There were calm and sober-minded men and gentle women who gave themselves freely to this work, and who made the double sacrifice of what they gave up and what they accepted as they threw in their lot with these others. Those were the little leaven that by and by altered the whole. And all told, it was but a few men and a

few women, beset on every side. A part of the great world around them in their own states, in wicked negligence and criminal content, cared nothing or was well satisfied that such impertinent protest should be silenced; another and larger part, the sober-minded and serious men, looked on in doubt and distress. Abhorring slavery, they could find no right to destroy it. Loving liberty, they could not believe it meant license to defy law. They believed, all of them, that the Constitution upheld national slavery, and in sorrow and shame they saw no way of deliverance.

So it was that in the great free North the man or woman who was pointed out as an Abolitionist was insulted and assaulted. Anti-slavery meetings were always interrupted and often broken up by the lowest rowdyism, and the authorities could find no way to interfere. Only when a runaway slave was caught could justice be found in the gates of the city. There was no freedom of the Press but the unlimited freedom to abuse these advocates of liberty. And still more, if by any chance some newspaper dared even mildly to disapprove the flagrant denial of equal rights to a Northern Abolitionist, it was forthwith punished, sometimes crushed, by the withdrawal of subscribers and advertisers alike. The men and women themselves were completely ostracized; it was a sentence of social obloquy to attend the anti-slavery fairs in New England. Yet all along the border ran the underground railway, and everywhere, from Cincinnati and Syracuse to Massachusetts and Maine, the land was dotted with homes

that succoured frightened slaves and sent them forward to Canada. Many a house found strange use for garret and cellar; churches built secret chambers behind their organs; children learned to listen to the thrilling story of escape, and tell no tale to their schoolfellows; United States marshals found new need for wit and experience in evading the law they executed. Such action, in the midst of such prevailing sentiment, inevitably brought mobs in its train, — frequent, frightful, and often bloody. Editors, clergymen, substantial citizens, who dared to show their anti-slavery sentiments, did it knowing full well the result. Mob after mob destroyed their property, insulted their wives, threw them into prison for months and sometimes years; and the sufferers had no redress in law or public sentiment. Once such a mob attacked a meeting of an anti-slavery society in Boston, and dragged its orator, William Lloyd Garrison, through the streets with a halter round his neck. Suddenly coming upon this ghastly outrage, the young Sumner was stirred in his soul, and with little thought of consequences, rushed to the rescue. Doubtless he remembered this scene of years before in days when the impulse grew strong within him to take up the cause of the oppressed, and helped on by all conspiring influences, by personal feeling and public action, at last grew too strong to be denied.

CHAPTER VII.

1850, 1851.

ENTRANCE INTO POLITICS. — FIRST ELECTION TO THE SENATE.

WHAT was true of the whole North was specially true in Massachusetts, where the anti-slavery cause gained rapidly in numbers and in weight. Indeed, it was fast gaining a large proportion of that great force in any community, the men whose opinions on moral questions are true and firm; and to those men of that time slavery was taking on overwhelming importance, for the new arrogance in the South was meeting a new earnestness in the North.

The passage of the Fugitive Slave bill in 1850 excited Massachusetts to the verge of revolution. This last outrage on the principles of the North and those state rights which the South claimed so vehemently, this practical declaration that the national government itself was committed to slavery, at last roused the whole community. The lukewarm were convinced, the men of conviction were exasperated, the indifferent excited. At this juncture a public meeting was called at Faneuil Hall to protest against a measure so iniquitous, and Sumner was its orator. He rarely made a greater speech; full of fire, it glows

with the white heat of moral enthusiasm, for at last all the powers of his being were involved. He had found the necessary motive and the whole force of his great powers was given to the work. His humanity was enlisted, his moral nature urged him on irresistibly, and his personal ambition was standing behind the rest, though for the time being it was swallowed up in the deeper motives. All his learning appeared but as a background to his argument; all his knowledge of the world but gave point to his sarcasm; all his elegant associations but enhanced the force of his advocacy of the slave. His gestures are described as graceful, animated, and often vehement; his manner was so captivating that men and women who listened to him still describe it in enthusiastic phrase. It is impossible, says one of these contemporaries, "to express the brilliancy of that man when a young man, — handsome, radiant, intensely in earnest through conviction, full of force and fire, full of life." With a voice whose singularly sweet and melodious intonations still linger in the ears of his hearers, "he was like an archangel with a spear."

Thus he drew the unwilling or drove the unready before him; and he showered invective and thundered denunciations until it seemed that slavery itself must quail. It is true that he fought with battle-axe rather than cimeter, but his strong right arm sent that same battle-axe cleaving straight through all defence. In the course of the speech he thus describes a famous painting by Tintoretto: —

"There is a legend of the Church still living on the admired canvas of a Venetian artist, that Saint Mark,

descending from the skies with headlong fury into the public square, broke the manacles of a slave in the very presence of the judge who decreed his fate. This is known as the Miracle of the Slave; and grandly has Art illumined the scene. Should Massachusetts hereafter in an evil hour be desecrated by any such decree, may the good Evangelist once more descend with valiant arm to break the manacles of the slave!"

The beauty of the figure touched the public heart, and in after years Sumner loved to dwell upon the effect it produced, as he showed his guests a copy of the painting hanging in his dining-room at Washington, and related this incident, frequently adding, "That picture made me senator." Certainly this speech did much toward that end.

Not all the anti-slavery men in Massachusetts had gone into the Free-Soil party, but it had gathered in the more radical, and perhaps it may be said, for the most part the less experienced, to such extent as to give it the balance of power in the disturbed and divided condition of state politics. Henry Wilson, just then editing a Free-Soil newspaper in Boston, saw that this was not only their opportunity, but with the eye of a prophet discerned its national value. He saw that it was possible for the anti-slavery men to elect a United States Senator, and he realized the pre-eminent value of such a course to the cause of freedom. If Sumner had the genius of enthusiasm, Wilson had equally the genius of sagacity. If the one was inspiration to the weak, counsellor for the perplexed, philosopher, the prophet of a great cause, — the other was sight to the blind, hands and brain for

the inefficient and ignorant, guide and leader in the most difficult places. What one did, was by its very nature done in the public eye; but the other silently, and often working through other men, brought about the results both desired. Each did his own work in his own way; but together in purpose from the beginning, and together in position and opportunity for long years, these two men made Massachusetts a chief power in the struggle, a large factor in the result.

It did not seem to everybody around him that in his efforts for the election of a senator Mr. Wilson was wise in his desire, or practical in his method. But sure that another anti-slavery man in the Senate for six years would be an inestimable gain, he determined to accomplish it by the sacrifice of everything at home; and through a series of political movements as masterly as they were extraordinary, he brought about the political combination known as the "Coalition," by which the leading state offices, and the place of senator for Webster's brief unexpired term, should be given to the Democrats, on condition that the two parties unite in choosing the Free-Soil candidate as senator for the long term. This was by no means a simple combination, for the more than four hundred members of the Legislature who were eventually to bring about this result must be chosen by a combination of Free-Soilers and Democrats, under conditions varying in each locality; but believing the cause of freedom the first consideration, Henry Wilson and the determined men who fought with him everywhere held to the one idea of free-soil, and would have no less. They fixed upon Sumner for

their candidate for senator, as one who combined several necessary qualities. He was an uncompromising opponent of slavery; he was already one of the Free-Soil party at such cost to himself as to add the martyr element to his other qualities; he was young, brilliant, attractive, and represented that element of cultivation and learning always greatly effective in Massachusetts, and specially necessary against the aristocratic Winthrop; and, above all, he was as yet so slightly identified with any party that all could unite on him. Said the "Commonwealth," the organ of the Free-Soilers: —

"Mr. Sumner was selected as the candidate for the Senate because while true as the truest to Free-Soil principles, he was supposed to be less obnoxious than any prominent Free-Soiler in the state to the Democratic party. He was never identified with any of the measures of the Whig party except those relating to slavery. He never entered a Whig state convention except to sustain the sentiment, not of the Whig party alone, but of Massachusetts, against the annexation of Texas and the Mexican War."

But against him were the friends of Winthrop, the friends of Webster, and many other elements of division; for the Coalition was the occasion of much dissension in both parties. The Legislature itself proved a very disappointing body. Although it speedily carried out one half the bargain, and chose the Democrats George S. Boutwell and Robert Rantoul for governor and senator until March 4, and divided the other state offices between the parties, it could not be persuaded to elect Charles Sum-

ner for the long term over Robert C. Winthrop, the Whig candidate.

For three months the fight continued, with able generalship and skilful manipulating of men and caucuses by the Free-Soilers, with conferences among the leaders sometimes held in Sumner's office, with secret wires pulled in more than one quarter, and with much other manœuvring common to political action. It was probably due to Henry Wilson more than to any other man or influence that at last, on the 24th of April, Sumner was elected by a secret ballot which gave him exactly the requisite number of votes. And it was a striking commentary on the state of men's minds, even in Massachusetts, that not until the Coalition succeeded in passing a resolution that the ballot should be secret could they secure the one last vote necessary; but on the first secret ballot some Whig changed his vote and elected Sumner. In his letter accepting the office of senator, Sumner makes much of the fact that it was an unsought honour thrust upon him, — an opinion he always held, and frequently repeated on the occasion of his re-elections. It is, however, hardly an open question whether that can properly be called an "unsought honour" for which a man is the willing candidate of a group of managers planning diligently and working unceasingly, and who himself enters often and anxiously into those plans. And his view of the matter illustrates many of Sumner's characteristics, especially his constant blindness to his *obligations* to other men, so that he honestly believed his many honours always unsought, and often undesired.

The Thirty-second Congress was already in the midst of its work when Sumner took his seat in the Senate. He did not find himself the only representative of the cause he had at heart. In the House of Representatives the ex-President, John Quincy Adams, had begun the battle long before, leaving it to Palfrey, Joshua Giddings, and others of like temper, who, in less conspicuous place than some since thought heroes, worked without applause and often without gratitude, and prepared the way for other men to triumph. In the Senate John P. Hale, William H. Seward, Salmon P. Chase, awaited him, "slighted, feared, respected," soldiers who had already fought many a battle which Sumner in his *dilettante* days had scarcely heard of. Under every stress of temptation they had stood firm, every inch of ground which it seemed possible to wrest from slavery they had besieged, and now and then victory had lingered with them for a moment. But as yet victory was only their acquaintance, not their companion. Some things had been won, as we have seen. The right of petition was secure; the slave-trade was abolished under the shadow of the Capitol; the principle was at least temporarily established that each new state should decide the matter for itself: if Texas and New Mexico were slave territory, California and Oregon were free. But these crumbs from the table of Freedom were all; and on the other hand, the law was everywhere encroaching rapidly on the free territory, the whole business interests of the country were subservient to the cotton-fields, the fugitive slave was nowhere safe from the hand of the law on American soil, and his friends were in

equal peril of goods and life. Moreover, the slight protections still possessed by Freedom, or hardly gained in her behalf, were in constant and fearful jeopardy.

Against what stress of governmental influence those slight concessions had been gained, is perhaps best shown by an analysis of the government itself, made only a few years later by (let it be noticed) a British observer. According to this Englishman, in 1857, at a time when the total number of voters exceeded three millions, and the population dependent upon them was five times as great, the slaveholders and their families numbered but three hundred and fifty thousand; and yet this fraction, greatly less than one tenth of the voters, had chosen eleven out of the sixteen Presidents, who were themselves slaveholders, with three of the remnant entirely under their influence. In the legislative branch the slaveholders had named sixty-one out of seventy-seven Presidents of the Senate, and twenty-one out of thirty-three Speakers of the House. Nor was the judiciary free from this predominating influence, since here the South had furnished seventeen out of twenty-eight Supreme Court Judges, and filled the Attorney-General's office fifteen times out of twenty. It is hardly possible to make a more graphic presentation of the situation of the United States when you realize that in every direction, commercial, political, national, moral, slavery was the crucial question in American affairs, and discover that on this question the control was so completely in the hands of the South.

In 1850, just before Charles Sumner stepped upon

the scene, the slaveholders were at the height of their power; Taylor, and afterward Fillmore, were in the executive chair, at the beck and call of the South, whose votes had decided their election. In the House that high-priest of slavery, Howell Cobb, was Speaker. Yet even then all was not as fair as it seemed; the administration was in power by reason of secret Northern influence, and Cobb was only elected by a change in the requirements for the election after fifty-two ballots, and Clay had been able to pass his famous Omnibus bill only because it was a general compromise. The concessions to the North were specious, it is true; but they showed the growing power of a sentiment which made some concession necessary. Yet with all this slumbering fire ready to wake to new and violent action, Benton said to Sumner, "You come upon the stage too late, sir; the great issues are all settled." Perhaps it was not strange that this giant of a passing generation felt that the day of large things in men and measures was gone; Clay and Webster and Calhoun left no successors then or afterward, and the new generation was but just beginning. But in that present, around the new Senator stood Cass and Stephen A. Douglas and Buchanan, Jefferson Davis and Mason and Hunter, — towers of strength each of them, and all of them his enemies. Only those famous three defended liberty, — Seward, Chase, and Hale.

Much is made by Sumner's admirers of the fact that he sprang full-armed into the fight, stepping from private life into the Senate, and taking a prominent place there. But it must be remembered that

he did not spring into the Senate, but he rather struggled in, drawn thither indeed after a very commonplace fashion, and over a long and hard road which other men built; and once there, his prominence was the prominence of a forlorn hope. He was fully fifteen years older than most men when they enter political life, and that fifteen years had been years of a special and peculiar preparation for the unique work which he did, and which no one else was equally fitted to do. Indeed, he was a failure in the usual and proper work of a legislator, — that of making laws, — and except for the special need for which he was especially fitted, his career would scarcely have been the success it was; for the doctrinaire quality so conspicuous in his work, and often so fatal to it, was attributable, not alone to his temperament, but largely to this very lack of early experience in smaller and less important legislative bodies. This, which some would fain make his great title to glory, was in fact and deed the reason for many of his mistakes. He was fortunate, moreover, in the time of his public life. Neither his mind nor his training fitted him for the consideration of economic questions; but he lived in a day when principles were the great concern, and methods were almost forgotten.

In a letter congratulating him, Theodore Parker said, "You once told me you were not in politics, but in morals; now I hope you will show morals in politics." And this was indeed his mission, — the upholding of the moral element in political action; just this, for his efforts to carry out his principles were abortive and fruitless. The expression of morals in political action

he did not understand and could not accomplish; but his insight was certain, his vision clear, his voice true. "To him the duties of life were more than life." He has been called the "scholar in politics;" but this is no proper characterization of his point of view, for it was not as a scholar that he was influential, and his great learning was only a tool to accomplish his object. His it was to see the moral idea under the confusions and distractions of affairs, to uphold it with learning and eloquence and "a sublime tenacity of righteousness," until listening multitudes were inspired with this same high standard and great purpose. He declared in that speech in Faneuil Hall: —

> "Nothing can be settled which is not right. Nothing can be settled which is against freedom. Nothing can be settled which is contrary to divine law. God, Nature, and all the holy sentiments of the heart repudiate any such false, seeming settlement. Amidst the shifts and changes of party our DUTIES remain, pointing the way to action. By no subtle compromise or adjustment can men suspend the commandments of God. By no trick of managers, no hocus-pocus of politicians, no mush of concession, can we be released from this obedience. It is, then, in the light of duties that we are to find peace for our country and ourselves. Nor can any settlement promise peace which is not in harmony with those everlasting principles from which our duties spring!"

It was in discovering and in enunciating these the principles of everlasting right in a time when good men and true were blind and deaf, in shouting such clarion calls to those who sat idly at ease, and declaring such stern tests to the wavering, that Sumner found his mission and his work. His great learning

and his experience of courts and parliaments united to enable him to substantiate his own position and settle that of others; his cultivation gave him grace, and his moral enthusiasm gave him power; but the result of his work was determined by other men of less conspicuous parts, though of equal value to their generation and their country.

CHAPTER VIII.

1851, 1852.

FUGITIVE SLAVE BILL. — SPEECH, "FREEDOM NATIONAL; SLAVERY SECTIONAL."

FROM this time Charles Sumner's personal life was merged in the larger life of the nation; and it is of less importance what relation his experiences bore to his own career than their broader relation to the country and the time. The long period of preparation was over, and that of achievement begun. Whether well or ill prepared, the man was ready, and the hour was calling for him.

For various reasons, the Fugitive Slave law became the test and turning-point of action and sentiment. During the weeks occupied by Massachusetts in the senatorial contest, there occurred in Boston the two famous instances of its enforcement, — the capture and rescue of Shadrach, and the rendition of Simms, — which made not only Massachusetts, but the whole nation, either advocates or opponents of the measure. The first became the occasion of congressional and presidential interference, much fierce and angry debate in the Senate, and still greater public excitement. The last, with its ostentatious display of force and its tyrannical control

of all the processes of law, on the one side, and on the other the fruitless appearance of the ablest and most distinguished sons of Massachusetts in behalf of the slave, — not only in the court-room, but leading the mob as well, — excited the North to an unheard-of indignation. Sumner himself at first took no open part in the struggle, lest he endanger his chances in the pending election; but his sympathy and counsel were not wanting, and in the later struggle he appeared for Simms. These things were not done in a corner; and they served not only to intensify the feeling throughout the North, but they had a still more valuable effect in concentrating the anti-slavery sentiment and fixing it upon a definite point, which thus became the already abhorred Fugitive Slave bill.

The debate in the Senate followed the lines of division apparent throughout the country; opinions followed wishes in this, as in everything else. Among the pro-slavery men, some believed in the extreme doctrine of state rights, and would have states and territories both let alone to determine their own affairs. These looked forward with no regret to the two distinct nations which inevitably must result, or sometimes openly advocated the separation. Others were for the Union; but they believed that peace would reign and the country flourish only where business principles were adopted and business interests considered, and the South left to follow her own fashion, while the North went her way. These were the men who believed in the Missouri Compromise. Still a third section — the controlling and growing

element — felt that the nation itself must be finally committed to slavery; and while the Northern states could not be forced to permit it within their own borders, they must, in a hopeless and permanent minority, see the nation adopt slavery as its own in all new states, and permit the slaveholder to exercise everywhere the rights native to his own soil. The anti-slavery ranks were no less divided. There were those who violently declared for disunion, that freedom might no longer be defined bondage; there were those who, like their neighbours in the South, held the Union in first place; and some for love of country looked to a peaceful division that should yet leave the states united; and some felt that peace was more necessary than freedom, and prosperity the first need. But all, eager South and anxious North, alike believed that the Constitution permitted slavery in the nation, and only the states could make men free.

The Fugitive Slave act bore directly on this point in a somewhat contradictory fashion. The North saw in it an attempt to force slavery as a national measure, and thus an interference by legal methods with the control of the Northern states over their own affairs. The South, from a different point of view, considered the active resistance to its enforcement by the best men of Ohio and Pennsylvania, New York and Massachusetts, a violation of the right of the Southern states over their own property and a direct defiance of national authority. Thus on both sides this law resulted in sharply defining the issue. The North began forthwith to

exercise itself as to its position. Could the Constitution be obeyed and runaway slaves set free? Many a sober-minded anti-slavery man could see no way to answer yes, while many a Garrison Abolitionist hoped the South had forced the North to disunion. For men of a conservative temper it was a serious dilemma, since the question of the enforcement of this law was made a sort of shibboleth by both sides. It was at this point in the contest that Sumner entered upon the discussion, and performed at the very outset one of the greatest of his legislative services in a speech on this measure. He had been eight months in the Senate, and his Free-Soil constituents were alarmed at his silence on the all-important question. In private and in public they remonstrated with him; and as ignorant of the social as of the parliamentary situation, they imagined their advocate was beguiled into his old indifference by the attractions of society at the capital. Land grants in Iowa and cheap ocean postage were by no means the questions they sent him to Washington to discuss. They failed to see the significance of the Senate's action when it voted down his memorial on the Fugitive Slave bill, or refused by a two-thirds vote to listen to him at all. Nor were they satisfied by his devotion to the cause of Drayton and Sayres, the unfortunate officers of the schooner "Pearl," who were cast into the filthy Washington jail for an attempt to carry away from that city a cargo of runaway slaves. Indicted on one hundred and fifteen counts, these men suffered four years of durance more vile than can now be imagined. After Mr. Sumner

came to Washington, he was their never-failing friend and almost daily visitor. In May, 1851, he delivered an elaborate and learned legal opinion to President Fillmore, which furnished a basis for their pardon a year afterward. Thereupon the Senator himself arranged their departure from jail more after the manner of an escape than a legal deliverance, sending them to Baltimore in a carriage by night. Whatsoever he might, thus and otherwise, Sumner did for the cause, which by this time had taken entire possession of him; but in the Senate he might not. By every device of rule or order unfamiliar to the clumsy hand of the untrained parliamentarian, by every tyranny possible to a majority (which was often forty-seven to four), the new Senator was prevented from speaking; and it was only when he had served his belated apprenticeship, and learned how to manage the situation himself, that he was able to touch the tabooed subject, and that only five days before the close of the session. An apparently innocent amendment was offered to the appropriation bill providing for the salaries of the civil officers of the government. This amendment levied a special tax upon the several judicial districts, to defray any "extraordinary expenses" which might have been incurred in executing the laws therein, and was intended to cover the "extraordinary expense" of capturing fugitive slaves in Northern states. To this Mr. Sumner immediately offered another amendment in these words: "Provided that no such allowance shall be authorized for any expenses incurred in executing the Act of September 18, 1850, for the sur-

render of fugitives from service or labour: which said Act is hereby repealed." Upon this amendment he spoke for nearly four hours. The keynote of the speech was struck in this almost its opening paragraph: —

"Painfully convinced of the unutterable wrong and woe of slavery; profoundly believing that according to the true spirit of the Constitution and the sentiments of the Fathers it can find no place under our National Government; that it is in every respect *sectional*, and in no respect *National;* that it is always and everywhere creature and dependent of the *States*, and never anywhere creature or dependent of the *Nation*, and that the *Nation* can never by legislative or other act impart to it any support, under the Constitution of the United States, — with these convictions I could not allow this session to reach its close without making or seizing an opportunity to declare myself openly against the usurpation, injustice, and cruelty of the late intolerable enactment for the recovery of the fugitive slaves."

This was not the first time Sumner had promulgated his great idea that slavery was sectional, and freedom national. It was more than suggested in the speech in which he vainly endeavoured to persuade the Massachusetts Whigs and their leader, Webster, to declare against slavery in 1846. Nor was it an altogether new idea to Congress and the country. Ten years before, Joshua Giddings had offered a resolution in the House of Representatives that freedom was a natural right, and slavery only a municipal regulation; and again, in the Free-Soil convention at Pittsburgh, only a fortnight before this

time, this same veteran prepared a platform which declared that "Slavery is sectional, and Freedom national." But notwithstanding these scarcely noticed declarations, it was an idea very novel to congressional ears. Pro-slavery advocates of the sacredness of the Constitution were not used to hear their measures declared a "usurpation," and Democrat and Whig had just joined hands publicly to announce that the Constitution was *finally* interpreted, the statute *finally* settled as to slavery. In ringing words, this new champion for freedom threw down his gauntlet on that field. Said he: —

"Convictions of the heart cannot be repressed. Utterances of conscience must be heard. They break forth with irrepressible might. As well attempt to check the tides of ocean, the currents of the Mississippi, or the rushing waters of Niagara. The discussion of slavery will proceed wherever two or three are gathered together, — by the fireside, on the highway, at the public meeting, in the church. The movement against slavery is from the Everlasting Arm. Even now it is gathering its forces, soon to be felt everywhere. It may not be felt yet in the high places of office and power; but all who can put their ears humbly to the ground will hear and comprehend its incessant and advancing tread."

He repeated his main argument in these words:

"The relations of the National Government to slavery, though plain and obvious, are constantly misunderstood. A popular belief at this moment makes slavery a National institution, and of course renders its support a National duty. The extravagance of this error can hardly be surpassed. An institution which our fathers most carefully omitted to name in the Constitution, which according to

the debates in the convention they refused to cover with any 'sanction,' and which at the original organization of the government was merely *sectional*, existing nowhere on *National* territory, is now, above all things, blazoned as National."

He presented his subject under two heads: —

"First, *the true relations of the National Government to slavery*, wherein it will appear that there is no National fountain from which Slavery can be derived, and no National power, under the Constitution, by which it can be supported. Enlightened by this general survey, we shall be prepared to consider, secondly, *the true nature of the provision for the rendition of fugitives from service*, and herein especially the unconstitutional and offensive legislation of Congress in pursuance thereof."

The first argument proceeded on the lines, now so familiar, that slavery must be expressly and positively recognized, not implied or inferred, by the Constitution, in order to be upheld by it; and that the word "person" in the Fifth Amendment was used in its broadest sense. The second put aside with scant shrift the claim that the provision of Article Four, which relates to "persons held to service or labour," was one of the original *compromises* of the Constitution, and effectually disposed of the kindred claim that this was one of the topics debated by the fathers, and at last only decided by a general and indefinite statement carrying both interpretations which history had justly interpreted in the interest of slavery. He went on to arraign the Fugitive Slave act in no doubtful terms, on nine different counts, as contrary to the Constitution in act and inference. But passing over

these points as comparatively trivial, Sumner boldly took the aggressive, and declared this bill to be "a usurpation by Congress of powers not granted by the Constitution, and an infraction of rights secured to the states; and secondly, that it takes away trial by jury in a question of personal liberty or a suit at common law." In a most exhaustive and elaborate fashion he clothed the dry bones of his argument with the flesh and blood of history, and adorned it with the imperial purple of learning. He went on to show that this matter must be relegated to the states. And as ever, not content with settling his theory upon a throne of judgment, he gave it a soul also, in an eloquent appeal to the moral sentiment and that divine law which is above all human enactment. Furthermore, he solemnly declared: "By the Supreme Law which commands me to do no injustice, by the comprehensive Christian Law of Brotherhood, *by the Constitution which I have sworn to support, I am bound to disobey this Act.*"

It remains only to listen to Sumner's own statement of the implications of this doctrine to see the importance of the speech. He said, —

"In all national territories slavery will be impossible. On the high seas, under the national flag, slavery will be impossible. In the District of Columbia slavery will instantly cease. Congress can give no sanction to slavery by the admission of new slave States. Nowhere under the Constitution can the Nation, by legislation or otherwise, support slavery, hunt slaves, or hold property in man."

It was little wonder that under an argument like this the friends of slavery were restive and its enemies joyful. We have given but its dry bones, indeed; but the beauty and force of its oratory may perhaps be imagined when its enemies themselves thus judged it. "This is the first time in the course of my life," said one of the pro-slavery members of the Senate, "that I have listened to the whole of an Abolition speech. I did not know it was possible that I could endure a speech for over three hours upon the subject of the Abolition of Slavery. But this oration of the Senator from Massachusetts has been so handsomely embellished with poetry, both Latin and English, so full of classical allusions and rhetorical flourishes, as to make it much more palatable than I supposed it could have been made." It is needless to quote the full and appreciative response the speech received on both sides the water, wherever men loved freedom and hated slavery; but in one sense the most extravagant encomiums were justified. It was an epoch-making speech. Spoken to a wider audience than the Senate, it convinced the doubting North of the justice of the cause it had espoused, and put the firm and solid ground of constitutional right beneath the feet of the anti-slavery men, in place of the shifting sands of individual opinion. From this time forth every man knew that his public and his private conscience had no quarrel the one with the other, that the Constitution was a bond of freedom, that the flag of the Union was everywhere the banner of liberty. The most conservative no longer feared to assert that the United States could not justly com-

pel one group of states to accept the constitutional interpretation of a different group, but that every state and each man must interpret that Constitution for himself; and further still, he was furnished with standing-ground and weapons when he declared that this Constitution neither directed nor even sanctioned slavery. It was a long step forward marked by this speech. No man, not even Garrison himself, had yet discovered that the nation might — yes, must — make all men free; but that lesson was written in blood and learned in battle. The first step toward it was the elementary doctrine that the nation need not make any man a slave, and this was the service done by this speech. The Northern conscience was set free, and the force and power resulting therefrom issued in the Emancipation Proclamation. It is true that the extreme radical wing of the anti-slavery party still held disunion to be a hope; but for the present at least, they welcomed even a subversive ally who brought such strength to the cause.

In still another and more personal way, this speech determined Sumner's position and work. It not only placed him at once in the front rank of the anti-slavery cause, but it defined and circumscribed his work there. He was and was to be its prophet, mighty to prevail over the hearts of men, strong and fearless to uphold the truth and denounce the wrong, wise in discovering the eternal laws that bind all generations, and learned in that philosophy and experience of law and government which make a rule for nations. He was the guide and philoso-

pher, the mentor and prophet, of the North from this day onward, but never anywhere its leader. If Phillips and Garrison were the fierce John Baptists of the gospel of freedom, Sumner was by no means its Saviour, as in the later days of his suffering he was sometimes thought, nor even the Paul who built up its mighty structure; but he was a new prophet of a new dispensation, — a prophet whose words moved men to mighty deeds, whose learning placed them on a sure foundation, whose high and strong and stern moral sense never failed to support and sustain them. It was a most conspicuous service, and it has been sometimes called the chief. It was a service which cannot be reckoned, and it has sometimes been counted of little worth; but it was neither the greatest nor the least. Moral values cannot be weighed, nor measured, nor proportioned. It was a work standing all by itself, — essential, vital, immeasurable. Let us no longer try in childish fashion to settle relative values, and fix standards of high and low. Each man has done his own work; and from the days of the fathers until now, the mighty army marches *abreast* to the conquest of history.

It is not too much to say that this speech of Sumner's marked an advance; but with the solidification of anti-slavery sentiment and the shifting of position which followed it, a further step on both sides became necessary. If the North was to claim national freedom and sectional slavery, the South must meet the issue; and the next stage in the conflict was the struggle over Kansas and Nebraska.

CHAPTER IX.

1852–1856.

POLITICAL CONDITIONS. — FIRST TERM IN SENATE. — KANSAS-NEBRASKA STRUGGLE. — PUBLIC SPEECHES.

THE political struggle went on hotly. The fight for the presidential nomination was fought on the mixed basis of public and personal issues; but both parties determined in solemn resolve and written compact to support no candidate not pledged to oppose any renewal of the debate on slavery. The Whigs were divided between Fillmore, who wished the renomination, and Webster, who moved earth and defied heaven to secure the long-coveted prize. The Democrats were in like case, but theirs was a triangular duel. Douglas, like Webster, had sacrificed himself on the altar of slavery to secure this nomination; Buchanan had endured or welcomed all things to the same end, while Cass rightly thought he deserved the honour. With such a state of things in both great parties there was large opportunity for intrigue, and it was well employed; so that in the end the Whigs chose Scott, and the Democrats Pierce, as standard-bearers.[1] Both parties mortgaged them-

[1] It is a curious fact that the Illinois Democrats voted for Jefferson Davis for Vice-President.

selves to slavery, well assured that this, and this alone, was the price of success. But the little Free-Soil Democratic convention which nominated John P. Hale adopted a platform fiercely denouncing all compromise, and declaring slavery a "sin and a crime."

In the campaign which followed, Sumner did his share of the work, and at the Massachusetts convention of the Free-Soil party led the congratulations with which that party hugged to itself its delusion that its attempted punishment of the Whigs was a blow to slavery. In the summer of 1853 he was also a member of the convention which revised the constitution of Massachusetts. His service in that body was as usual along the line of principles rather than in the elaboration of methods; but it is worth while to notice this episode in his career, since it was the only public office held by Mr. Sumner outside the Senate.

The opening of the first Congress of Pierce's administration marked the changed position of national affairs in the new governmental strength of the pro-slavery party, and the new strength of the anti-slavery sentiment. While, a few years before, it was possible to go on claiming more and more privilege for the peculiar institution, it was now necessary not only to cease claiming more privilege, but to defend what was already secured. No jot was abated in carrying out the Fugitive Slave law, but the rather it was enforced with more rigour; and meanwhile both sides prepared to meet the question of Squatter Sovereignty in the territory of Nebraska. After one or two abortive attempts to precipitate the matter, it came fairly to the

front in the first weeks of the Thirty-third Congress in a bill dividing the proposed territory into two, — Nebraska and Kansas. And therewith began a struggle which ended only with the admission of Kansas to the Union in 1861, — a struggle carried on unremittingly and fiercely at Washington, and savagely in Kansas, which gathered unto itself those awful conflicts which were the advance-guard of war, and which to Sumner personally was fraught with such consequence. The first move was the repeal of the Missouri Compromise, — a measure which both Houses of Congress debated for four months before it finally passed. Douglas and Seward and Chase and Fessenden and Edward Everett in the Senate, Stephens and Keitt and Breckenridge and the Washburns, and Gerrit Smith and Tom Benton and Banks in the House, were some of the giants who shared the great debate. Strong men on both sides were stirred to the depths by the nature of the issues involved, and moved to the height of their powers by the breadth and scope of those issues. Besides joining in the debate from time to time, Sumner spoke twice at length. In the main he followed the lines of his former speech, showing that this compromise was the work of the South, and declaring that the Constitution from the beginning never sanctioned slavery, but only permitted it within the bounds of the states. At midnight, just before the passage of the measure, Sumner uttered these memorable words: —

"Not in this way can peace come. In passing such a bill as is now threatened, you scatter from this dark midnight hour no seeds of harmony and good-will, but, broad-

cast through the land, dragons' teeth, which haply may not spring up in direful crops of armed men, yet I am assured will fructify in civil strife and feud. From the depth of my soul, as loyal citizen and as Senator, I plead, remonstrate, protest, against the passage of this bill. I struggle against it as against death; but as in death itself, corruption puts on incorruption, and this mortal body puts on immortality, so from the sting of this hour I find assurance of that triumph by which Freedom will be restored to her immortal birthright in the Republic."

By a curious coincidence — or Providence, as you will — the bill was gaining a new commentary at the very moment of its adoption. For the third time the Fugitive Slave bill brought forth a *cause célèbre* in the streets of Boston. Anthony Burns was seized as a runaway slave on the 24th of May, — the day after the midnight passage of the Kansas-Nebraska bill. Boston was again rent and torn with an excitement that registered the excitement of the whole North. Eloquent orators, wrought up to the fiercest pitch, urged crowded mass meetings to armed resistance, and their appeals were not in vain. An attempt at rescue was made, and in the fight that resulted a volunteer defender of the law was killed. It needed the whole police force, reinforced by the militia and by United States troops as well, to keep outraged Boston from taking the matter into her own hands; and when at last Burns was taken to the revenue cutter furnished his master, it was in the midst of a great throng of excited humanity from all the country round, who then and there vowed a great vow against slavery and all its works. Sumner thus described the

situation in a speech before the Republican State convention in Worcester, three months later: —

"Contemporaneously with the final triumph of this outrage at Washington, another dismal tragedy was enacted at Boston. In those streets where he had walked as a freeman, Anthony Burns was seized as a slave under the base pretext that he was a criminal; imprisoned in the Court House, which was turned for the time into fortress and barracoon; guarded by heartless hirelings whose chief idea of Liberty was license to wrong; escorted by intrusive soldiers of the United States; watched by a prostitute militia; and finally given up to a Slave-Hunter by the decree of a petty magistrate, who did not hesitate to take upon his soul the awful responsibility of dooming a fellow-man, in whom he could find no fault, to a fate worse than death. How all this was accomplished, I need not relate. Suffice it to say that in doing this deed of woe and shame, the liberties of all our citizens, white as well as black, were put in jeopardy; the Mayor of Boston was converted to a tool, the Governor of the Commonwealth to a cipher; the laws, the precious sentiments, the religion, the pride and glory of Massachusetts were trampled in the dust; and you and I and all of us fell down, while the Slave Power flourished over us."

The effect of this arrest was very great. Three times the North had seen Massachusetts return a fugitive slave under pressure of the United States law and by force of United States arms; but the indignation had grown in volume with each effort, and burst forth at last in such scorching flame of legislative action against the law and all officers who had enforced it, that hereafter "no one cared to try further experiments in slavecatching on New England soil," and everywhere the law was weakened beyond recov-

ery. An angry Senate saw fit to hold Sumner largely responsible for this result, — and with something of discrimination, it must be said, although with something of injustice as well. The attack on the Court House in which Bacheller was killed, occurred the very evening of Sumner's speech, and all over the country the Southern press and their Northern allies attributed the death of this man to that speech, — wilfully deceiving their readers, knowing as they did that no syllable of it had then reached the North. The vulgarity, virulence, and violence of these attacks were beyond belief; and so unmistakable were the threats of personal violence that Northern men hastened to offer their services as a guard. But on the other hand, if Sumner was not directly responsible for the death of this man, he had done much to inspire the doubting, arouse the interested, and justify the halting both in his own commonwealth and all over the country. His words had been the trumpet-call to action and the bond of its justification. He was gladly responsible for all that he had done; and from this time forth the antagonism already aroused in the Senate broke forth into active hatred and animosity. Partly because he represented the most obnoxious of all the states, partly by reason of what he had done and said, and partly on account of certain personal characteristics, he became in some sort a representative there of the anti-slavery cause, and was henceforth treated accordingly. He himself felt this, unconsciously sometimes, always with pride, and its immediate effect was a new tone which appeared in his speeches. He learned of the South

to answer vituperation with scorn, to meet invective with denunciation; and so biting, so fierce, were these attacks that they aroused an implacable wrath in all who felt their sting. Before Congress had adjourned in July, Sumner had himself sowed the seed which in the full tree furnished Preston Brooks his bludgeon. In the debates of this period the case of Anthony Burns made the text, and Sumner became the target for all the pent-up hatred against Massachusetts. Only those who have themselves felt the brutality of congressional speech at that time can at all appreciate its extent and degree. In formal speeches, senators did not hesitate to call Sumner a miscreant, a madman, a serpent; they proposed his expulsion, and they both proposed and executed the intention to "place him in that nadir of social degradation which he merited." To such arguments he replied with that intolerable scorn and that weight of contempt native to him. The fire of his grandfather, the cold hardness of his father, the indomitable will transmitted in New England blood and cultivated by education, his own sense of superiority, the offence of opposition, the strong support of a moral purpose, — all sent their separate currents to strengthen speech polished by the customs of courtiers and enforced by a phenomenal learning. The severity of Sumner's attacks is not altogether shown in their printed form. In manner as well as words, this Northern miscreant, this Yankee, showed an absolute and overwhelming scorn and contempt for the Southern chivalry; this was the insult that made injury a crime.

In this manner and after this fashion the debate went on in Congress. Slavery was the all-absorbing topic, and all other interests of the country were practically laid aside by common consent until it should be settled that the slave was everywhere property, or determined that a man was everywhere human. All legislative roads led to this one centre, slavery. Appropriation bills were the opportunity of both sides; bills to regulate the courts became a battle-ground; the election of a clerk of the House of Representatives or the selection of Senate committees turned on the same question. A concrete illustration was the fact that Sumner himself was for a long time not on any committee, the Senate having voted that he "was outside any healthy political organization," and therefore entitled to no place in its councils.

The manner of the debate was as has been described, — great speeches, as befitted the importance of the issue, but the tone domineering, even bullying; the temper so fiery that blows were a common argument. Pistols were often cocked; challenges were common. Long extracts of the billingsgate actually employed would give no idea of the angry vituperation, the intolerably insulting manner, which was then the every-day atmosphere of Congress. The generation that now is could not be made to believe that which was the pride and glory of the generation hardly yet gone from us, and therefore the reader of to-day cannot altogether realize the conditions which preceded and helped to bring about the war.

In this later day it may be well to glance hastily over the situation in Kansas itself for clearer remem-

brance. In this new territory there sprang up an unprecedented struggle under the law that abrogated the Missouri Compromise, — leaving each state to decide for itself on the question of slavery. Both North and South determined to seize this Naboth's vineyard. It was an easy problem for the South, which possessed, on the frontier of Missouri, a population so ignorant and so fierce as to be veritable outlaws, and all of them pro-slavery in their sympathies. It was a light matter to move them into Kansas in large bodies, and to vote that territory into the Union under a constitution repeated from that of Missouri. But the anti-slavery sentiment of the North had so increased that it was strong, vigorous, and united, and had become so earnest that it was ready to make sacrifices for the cause it had at heart. Under the stimulus of the practical shrewdness of New England, an organization was formed, called the "Emigrant Aid Society," for the express purpose of sending out companies of strong men to settle the new land. Time and money were given lavishly, and colonies were gathered in more than one state. It may well be believed that these were no carpet knights, but they were full of patriotic fervour, and strong in the belief that they worked for humanity. They early learned the fallacy of the idea that theirs was to be a peaceful conquest. At every election the "Abolitionists" encountered the "Border Ruffians" in fierce and often bloody contests, for the possession of the polls and the opportunity to vote. Both sides poured in money and men. "Bleeding Kansas" was the watchword of the North; and men who had doubted the wisdom of the anti-

slavery proceedings grew fiercer than their fellows as they watched the battle. The South also grew more violent with every week of the struggle, and her statesmen counselled the bowie-knife and revolver, and exemplified their counsel. Each party made a constitution, and tried to force it upon the people. Governor after governor failed to quiet the territory; and Congress after Congress — the Thirty-third, the Thirty-fourth, the Thirty-fifth — debated under every possible shape the question of whether it should admit pro-slavery Kansas under the Lecompton constitution, or anti-slavery Kansas under the Topeka (or Wyandot) constitution. These things were a part of Sumner's daily life. In Congress he fought the battles of Kansas, and out of it he found other service for her needs. The men who went there became his friends, and his correspondence was full of their hopes or the story of their wrongs; at home or in the Senate his hours of leisure and his hours of business were full of Kansas, and the panorama of her troubled life was the picture always before his eyes.

The anti-slavery sentiment of the country grew beyond measure in those years. The situation was better understood: the aggressive action and bitter spirit of the South disclosed its real purpose; the moral question at last made itself felt, for the object-lessons of the Fugitive Slave act, and the warfare over Kansas, had done what no orator could do. The question of slavery, as it became a crucial one, split the political parties. Southern and Northern Whigs divided, and the Democratic party could by no means hold to its pro-slavery doctrine its full Northern sup-

port; but the Free-Soil party was not strong enough to gain the waverers. The sudden and somewhat unaccountable rise of the American, or "Know-Nothing" party, with its secret lodges, its avowed hostility to foreign immigration, and its actual enmity to the Roman Catholic church, created a political diversion that had important consequences. But great as was the temporary success of that organization, it was after all too much of a Cave of Adullam to suit the leaders, too uncertain a leadership to suit the people of the North; so by the sort of common purpose and simultaneous action characteristic of real uprisings, a new party sprang up. Here, there, everywhere, we hear of it. It was born in Wisconsin, in the spring of 1854; it was christened "Republican" at a meeting of congressmen to discuss the situation the morning after the passage of the Kansas-Nebraska bill, urged on by the genius and influence of the great anti-slavery editor, Gamaliel Bailey; or it sprang from the loins of Vermont in the summer of that year; or Michigan formed and christened the new party, and Ohio established it, while Massachusetts, not yet ready to join its ranks, helped on the work. The "Tribune," under Greeley, and the "Independent," and the "Evening Post," were its sponsors. Yet the Republican hour was not fully ripe, and its first successes were not permanent. The Thirty-fourth Congress, which met in December, 1855, still had a Democratic Senate; but the House registered the new purpose of the people in an "anti-Nebraska" majority, which eventually elected Nathaniel P. Banks Speaker, though only after a long struggle. This

first considerable victory of the North was followed by a constant support of anti-slavery Kansas by the House, against the constant pro-slavery decisions of the Senate backed by the administration influence. These were the legislative experiences of Sumner's first term in the Senate, but the political situation concerned him also. In the spring of 1856 another presidential contest loomed up, to intensify the heat and bitterness of the struggle. The Republicans, proud to be known by their chief tenet as "Black Republicans," did not gather as much strength as they hoped, and the Democrats still possessed the field, — a result for which the Know-Nothing movement was chiefly responsible. Sweeping the country in 1854, this movement was still strong in 1856, especially in Massachusetts, — a fact which had an important bearing on Sumner's future.

As the years went by, Sumner took a larger part in the discussions and deliberations of the Senate; an insignificant place on one of its committees was reluctantly found for him, and he made good use of it, as of all other occasions to let his voice be heard for freedom. He spoke elsewhere as well. The last Free-Soil convention of his native state, and its first Republican convention, both listened to his arguments. He made every occasion an opportunity. Letters on every subject, whether it was the example of James Otis, the duty of the farmer, the character of Washington, or the Fugitive Slave law, alike carried some anti-slavery admonition. The Boston Mercantile Library Association was for a second time made to hear what it would not, as he expounded the lesson of a

merchant's duties as illustrated by Granville Sharp. Many weeks of the congressional vacation of 1856 were spent in delivering a lecture called the "Anti-Slavery Enterprise; its Necessity, Practicability, and Dignity," in Boston, New York, Brooklyn, and elsewhere, always to crowded and enthusiastic audiences. And well they might applaud to the echo; for this lecture was a production rarely surpassed for its purpose, an epitome of fact and principle, a logical argument, a complete statement of the case, in such eloquent phrase and oratorical perfection as is long since a lost art. In those days, when his first object was to convince, and his soul was on fire with earnestness, Sumner sometimes forgot his classics and his authorities, and appealed to the hearts of men in burning words.

CHAPTER X.

SOCIAL LIFE IN WASHINGTON.

THE sudden transition from Mr. Sumner's personal life to his public career is not entirely arbitrary. Up to the time of his entrance into the Senate his life was strangely confined to the circle of his own interests, and after that time it was altogether absorbed in the sweep of public events. Nor is this a figure of speech, but to a very large extent literal truth. A curious confirmation of it is the difficulty of finding any occasion to speak of this personal life that does not seriously interrupt the course of his career. Boston ostracism made a sort of chasm between his past and his present. General society was forbidden ground to him, and perforce he was shut up to a small circle. Congressional work occupied the larger part of his time, and the anti-slavery propaganda more of it, while both kept him much away from Boston; but the course he had taken had its direct effect upon the leisure that was left to him, for as yet the Abolitionist was for the most part despised even where he was approved, and Sumner found himself thrown into their ranks for his associates, — an association which his personal fastidious-

ness caused him more often to honour in the breach than in the observance. Thus in Massachusetts, outside the small circle of his dearest friends and his family, he was much shut up to himself. In Washington this isolation of the Abolitionist was absolute and complete outside of official circles. The anti-slavery men were yet too few for the group of kindred spirits formed a little later; and in the last years of President Fillmore and during Pierce's term, Washington had no anti-slavery set whatever. Pierce's administration was the first chapter in the tale of social Southern rule at the capital, which reached its height in Buchanan's time, and which we still see through the glamour of tradition.

The Washington to which Sumner came as a senator in 1851 was hardly more the Washington he first saw in 1834 than it was the brilliant centre of to-day. In outward shape it had changed less than otherwise, but it was still straggling and unkempt. Pennsylvania Avenue stretched its length from the Capitol to Georgetown unvexed in all its windy spaces by any pavement; and the few shops that served the needs of the provincial town were most of them below Seventh Street, — below Four and a Half Street, indeed, — while everywhere private houses jostled them and each other. The White House presented the same front as now; but there was neither Post Office nor Patent Office, and the curious old Treasury and State Departments looked across vacant ground to where Jefferson's little stable occupied what is now the corner of G Street and Fourteenth. It was scarcely six months since the western part of the Capitol,

containing the Congressional Library, was destroyed by fire, and the rest of it preserved only by the exertions of the public, including the President. Still unfinished and uncrowned, the great building seemed to mock at the scarcely begun Monument, and neither guessed what pages of history should be built in among its stones. Between the Capitol and Seventh Street the people were at some points almost crowded, and the fringe of houses extending along the rest of the avenue grew thicker again on the southwestern side of the White House, where their windows looked over the Potomac to the beautiful hills of Virginia. Elsewhere were great barren spaces, swamps and creeks and cypress-groves; and the fine estates on the Georgetown Heights seemed to say that no such grandeur would ever come to flat and dismal Washington. Indeed, Alexandria was still no mean rival of its sister city either in beauty or promise.

But if Sumner found this outward face of things only slightly different from what it had been a dozen years before, the form and substance of society had largely altered. The days of the friendly boarding-houses on C Street were waning, and a more festive life had begun, though it was not yet very elaborate. The day of Webster and Clay and Calhoun and the Seatons was departing. The happy time when all Washington met at the old market in the early morning, and Webster bought the dinners which his famous cook served to brilliant companies at two or three o'clock in the afternoon; when Tom Benton's almost too fascinating daughters attracted all the world to his hospitable parlours; when Henry Clay dropped in

unannounced and charmed young women with his beautiful voice and manner, — these things were almost gone; but Edward Everett still lived in his stately mansion overlooking the river, and General Cass looked across from his dining-room windows to the hospitable heights of Arlington, and the Carrolls vied with their cousins of Capitol Hill in elegant entertainment, and the Ogle Tayloes filled their mansion on Lafayette Square with life both busy and gay, while all the magnates of Georgetown kept open house in the free Southern fashion of their birth and training. General Marcy and his associates in the Cabinet, and Speaker Cobb, and many others in official station gave brilliant dinners at which they served the old madeira we still hear of, and invited the general public to large receptions; Jenny Lind and Lola Montez and Charlotte Cushman, Burton and Brougham and Forrest and the elder Booth amused the gay world. But through it all a more formal tone appeared than of old, and more of elaboration. The manners of the time were extremely formal in their expression, and extremely fiery under the outer crust. A quick word was sure to bring fighting; and a duel was none the less fatal because it was conducted with the greatest dignity. Indeed, there were recognized duelling-grounds at Bladensburg, a few miles north of the Capitol, where gentlemen were wont to seek satisfaction from their equals; and it was at this period that we hear of a congressman shooting dead the waiter at the National Hotel who failed to bring his dinner promptly enough. Of such sort was the society of Washington at this time; but among it

though he was, Sumner was in no sense of it. Yankees and Abolitionists were in no favour with Franklin Pierce or Jefferson Davis or Chief-Justice Taney, round Washington dinner-tables or in Georgetown drawing-rooms. At a White House reception the President himself greeted the wife of John P. Hale, but turned his back on the Senator; and we hear of Sumner or Chase at official entertainments, or at those few houses where Northern sentiments were not yet tabooed, or were possibly approved; but in general Sumner's Washington life was spent as he had been wont to spend his student days, — in work and books.

Yet if he was not a part of that gay life which had so fascinated him in England and afterward in Boston, he was by no means without friends or that social life which is after all the cream of society, — the friendly intercourse of one or two congenial spirits (and the very phrase "congenial" to Charles Sumner obviously implies cultivation of a rare sort). There were even then homes in Washington where Sumner was more than welcome, and men who exchanged thought with him on literature and life, the principles and the philosophies of things. It was at this time that he sought the acquaintance of a brilliant young review-writer in a leading Washington journal, and thus began the friendship with Dr. J. C. Welling, now President of Columbian University, which held firm until the hour of his death, and often furnished him that intellectual stimulus he craved, unaffected by political difference or public action. A few extracts from his early correspondence with Dr. Welling will show after what fashion this "scullion" occupied himself "while the

Senate prosed," as he put it. These extracts have a special interest as indicating something both directly and indirectly of his views of life at that time. A review of Comte had attracted Sumner's attention, and he writes thus regarding it to its unknown author:

"The French philosopher is a remarkable intellect, who ought to be known, though with you I turn sorrowfully from much that he has said. There is a Scottish writer, Patrick Edward Dove, — yet a young man, — who has treated the same theme with more clearness and simplicity than Comte, and without his repulsive features. His work, 'The Theory of Human Progression,' shows the march and sequence of the science with the certain future in a more satisfactory way than Comte, while it recognizes throughout those divine things which Comte repudiates."

On coming to know Mr. Welling, Sumner continues the subject on the broader philosophical lines, in this fashion: —

"As a humble student, in moments taken from other things, of departments illustrated by your elegant pen, I have been glad to renew early impressions, and to live again the true life.

"Allow me to suggest the inquiry, since you refer to Vico, whether his work at this time can be regarded as an important guide? He taught the Unity of Humanity, and illustrated it from history and literature; but he was filled with the ideas of the vicious circle in which society was supposed to have revolved, — proceeding to a certain stage and then pulling back, — and did not see its sure and irresistible march.

"Bacon, perhaps, in saying that Moderns stood on the shoulders of the Ancients, suggests the whole thought.

But there are several writers of France who seem to me to have struck the subject to the quick more even than Vico, though down to the time of Condorcet no one had considered it at length. I might begin with Descartes, though I forget now the title of the work. There is also a chapter of Pascal in his 'Pensées,' suppressed in the early edition for a century, which is very pregnant. It is somewhere toward the beginning.

"The discussion in France at the close of the seventeenth century on the comparative worth of the Ancients and Moderns, struck at some things bearing upon this subject, in the writings of Perrault, and also of Fontenelle. But I speak of things familiar to you; though while the Senate proses, there is a pleasure in drawing about me these pleasant memories. . . . But the work of Dove to which I first called your attention seems to me to have a strong grasp, and to open more clearly than any other book the future of science and life."

In another passage we see that for him the prime attraction of political life was not so much in the special cause he was then championing, as in its possibilities: —

"I am happy that my judgment of the work of Mr. Dove is confirmed by an authority like yourself. His book, more than anything else in my studies or speculations, has made me hope for a science of politics, exact and reliable. In my own mind I had foreseen this distant millennial result; his book has made it palpable. Still, I may err, and I know full well that this grand consummation can be reached only through cycles of history; but that it will be reached, I have now a full assurance, and to live for that future, — to strive for it with the eye ever fixed upon it, — seems to me the only thing which can worthily tempt a person into public life. I admit all

the difficulties in the way. It is these which prevent the great discovery at this moment. . . . You are right in your appreciation of the difficulties in systematizing the phenomena relating to man. But they are not greater now than were the difficulties only a century ago with regard to Chemistry, which has at last crystallized into a perfect science. Not to the necessity of things, but to the unfinished state of our researches, do I ascribe our present ignorance. *Le jour viendra.* It is true that much depends on the honesty, as well as skill, of man; but I take it that he will rise hereafter, not only in intelligence, but in virtue. If he does not, then farewell any millennium on earth! . . . It has always been a surprise to me that a writer like Michelet could have dwelt on Vico with so much rapture; but this introduction to his translation has a kindred vagueness."

The vacations of senatorial life were sometimes seasons of rest and refreshment, and often only change of work. The Free-Soil and Know-Nothing campaigns took much of Sumner's time and strength, and still more of vital force went into the anti-slavery lectures already spoken of. When he left Boston for Washington, the Longfellow household found "Sunday without Sumner a melancholy and unusual thing." For a long time it was his habit to dine there, and afterward to take a Sunday tea with Richard H. Dana. This last friendship suffered a temporary eclipse in the course of time. "Dana," says his biographer, "as was apt to be the case sooner or later with Sumner's friends, incurred his displeasure by differing from him in public over some question of public policy, and for years visits ceased." But in the end the friendship was renewed to some extent. On the

Senator's return in the summers he made up for his absence by still more frequent dinners or long nights over the library fire at Craigie House, and by regular visits to Longfellow at Nahant, where books new and old, past experiences and present companions, and much talk of men and things whiled away the moonlight that shone over sea and shore. If Emerson gave a dinner to the young Englishman Arthur Clough, or if any other political or literary lion was to be honoured, Sumner's presence was necessary to the complete success of the undertaking, — always provided that it was not fashionable or political Boston that would do honour to its guests. That half the world, whether *ancien régime* or *parvenu*, had no knowledge of the Abolitionist Senator. In his family, time had begun to work the changes already alluded to. Two of his brothers died during these years; and in 1852 George Sumner returned for the first time from his fifteen years of travel and study in Europe, and made a place for himself in the charming circles which his brother could then open to him. Partly because of his well-known fitness for the place, and partly because he represented the element with which General Marcy was himself in sympathy, that gentleman induced President Pierce to offer him the place of Assistant Secretary of State under Marcy; but this offer was promptly declined.

CHAPTER XI.

1856.

SUMNER'S SPEECH, "THE CRIME AGAINST KANSAS." — ASSAULT. — ILLNESS. — RECEPTION AT BOSTON.

IT is said that few great events come to us bearing their insignia, but in simple, commonplace guise meet us in the way, and testing men and the time alike, they show us hero or coward, or on a sudden change the date of the world's reckoning and fix a new epoch. In this manner Sumner himself and the anti-slavery cause suddenly came upon a day of great happening.

Midway in the debate on the long and constantly changing conflict over Kansas, Sumner delivered one of his great speeches, which proved to be his best-known effort, for reasons he little anticipated. At this particular point the debate ran on a motion of Senator Douglas to admit Kansas to the Union with a slave constitution, and a counter motion of Senator Seward. On the 19th of May, 1856, Sumner rose to speak. He spoke for two days, and all that was true of his former speeches on slavery was more than true of this one. Its very title was a dagger-thrust; "The Crime against Kansas" was a whole argument in itself. He spoke to a full assemblage of his associates, to galleries crowded with well-known men and

women, and to a listening and excited country. Macaulay's brilliant phrases were a model for those who described the scene, as doubtless Burke's great speech was in a measure Sumner's own model. There was in fact little parallel between the two occasions, but the common use of the illustration in the contemporary press serves to show the distinguished character of the audience and the nature and power of the speech. Newspaper reports are not always exact criticism, but those which the Senator himself embalmed in his works may be taken as in some sense authoritative. Among other papers, the "Tribune" called it the most masterly, striking, and scathing production of the session. "His excoriation of Douglas was scornfully withering and scorching." A prominent St. Louis paper declared, "In vigour and richness of diction, in felicity and fecundity of illustration, in breadth and completeness of view, he stands unsurpassed. He laid the classics, the Gothic mythology, the imaginative literature of Europe, and the Bible under contribution for imagery and quotation; that he had the great speech of Cicero and the greater speech of Burke in his mind's eye there can be no doubt." And this journal commends still more warmly his castigation of Douglas and Mason. The "Evening Post" called the speech "a feast of eloquence," and quoted the words of a veteran senator that it was "the most signal combination of oratorical splendour that has ever been witnessed in that hall," with its further analysis as a "union of clear statement, close and well-put reasoning, piquant personality and satire freighted with a wealth of learning and

apposite illustrations, every one of which was subsidiary to the main argument." The same paper goes on to describe the audience as unequalled since the days of Webster. Webster, Burke, Cicero, and Demosthenes were the favourite comparisons in these extravagant estimates, which are valuable now only as they bring back to us in some slight degree the nature and effect of the speech.

It is obvious that an oration so loaded with learning, so logical as an argument, so adorned with illustration, will not bear much quotation. It must be read as a whole; nor indeed would quotation really illustrate it, for Sumner's work needs the personality behind it. Like an antique vase, its beauty is gone when it is empty of life. But no one can read the comments already quoted without discovering another thing; it was, as Whittier says in a letter of congratulation, "a severe and terrible philippic," and the enemy writhed under it. The manner in which Southern chivalry chose to debate the great governmental questions, by the direct personal attack, had not been without its effect; and under the three heads, "the crime against Kansas in its origin and extent, the apologies for the crime, and the true remedy," Sumner did not hesitate to speak plainly and directly, and with a force that did not mince words or phrases. If eloquence may exalt a hero to the skies, no less it may consign an enemy to the lowest depths. Under its first head the speech was a complete history of the struggle up to that time. The apologies for the crime he divided into four classes, which he characterized as the apology tyrannical, the apology imbecile, the apology absurd,

and the apology infamous, in a passage which his enemies did him the honour to call an exact imitation of Demosthenes. He did not hesitate to arraign men as well as measures, bringing President Pierce himself to the bar. In like manner and after a like fashion he styled the proposed remedies the remedy of tyranny, the remedy of folly, the remedy of injustice and civil war, and the remedy of justice and peace, — four caskets, he said, to be opened by senatorial vote. As in his first speech on slavery, the Constitution was expounded with his rare knowledge of law, and history was made to testify in his cause.

The debate which immediately followed the speech was of an entirely different character, and of small value; but in the sum of causes which produced the immediate events, it bore a considerable importance. The heat which the speech aroused may be imagined by this debate. Cass described the speech as the "most un-American and unpatriotic that ever grated on the ears of the Senate." Mason, in language carefully kept within parliamentary bounds, called Sumner a liar and branded him as a new Cain. Douglas compared the speech, with detailed description, to a pieced-up calico bedquilt, and declared that its classic allusions were distinguished for "lasciviousness and obscenity," were drawn from those portions of the classics usually suppressed as unfit for decent reading, and suggested that Sumner's object was to provoke his adversaries to kick him like a dog, that he might gain sympathy; charging him in the same breath with practising the speech before a mirror with a little negro to hold the candle, and with

repudiating the Constitution and his oath. But if this was one half the story, it must be confessed the other was not unlike it; for Sumner retorted by begging permission of Cass to describe him as disloyal to the fathers and the Constitution, and dismissing Mason as one below argument, who displayed "plantation manners." Douglas he called a common scold, and accused him in stinging words of a bowie-knife and bludgeon style of debate, of the swagger of Bob Acres and the ferocity of the Malay, and finished by comparing him in set terms to "a noisome, squat, and nameless animal," who, in "violation of all decency, switches out from his tongue the perpetual stench of offensive personality;" and as if this was not enough, he repeated the passage still more directly, "The Senator has switched his tongue, and again he fills the Senate with his offensive odour."

Standing by themselves, these vituperations leave little choice between their authors, and they are given here for two reasons, — to show the extent to which cultivated and dignified men were driven by the violence of their passions at this time of hot rage, and to show how strong and unbearable was Sumner's language. Taken out of its context and without the splendid background of the speech, it does Sumner great injustice by assuming an undue proportion; but this passage at arms cannot be omitted, because these remarks and others of a like nature aimed at another senator were the ostensible reasons for an attack really directed at his unanswerable arguments against slavery.

A considerable part of the speech itself was devoted to Senator Butler, of South Carolina. Not only were the arguments of that gentleman mercilessly laid low, but their author was branded as the Don Quixote of the Southern cause, and elaborately and scornfully described with other more offensive figures and illustrations. It is true that Sumner never realized the force of these or any such words he so frequently uttered in debate. In after years he used to ask his secretary with perfect simplicity what it was in the speech on Kansas that Butler's friends objected to, what part of it they considered insulting; but his words were all the more unbearable for this supreme self-assertion in them. The Southern code knew but one way to meet such treatment; but the duel was for gentlemen. In this perplexity, Preston Brooks, a nephew of Senator Butler, and himself a Representative from South Carolina, Keitt of Charleston, and others consulted how they could best revenge the insult, and yet publicly mark their contempt for the man. It was determined to cane him, but they were somewhat concerned how to make the punishment most disgraceful. Other elements of perplexity entered in, moreover. It is said that at first they thought of beating him on Pennsylvania Avenue as he walked up to the Capitol, but finally concluded that plan impossible, as he was the biggest and might beat them. They then discussed the question of attacking him on the Capitol steps; but the matter of size was again an obstacle to the fury of these brave champions of insulted national honour and family pride. At last they definitely determined to take some safe opportu-

nity when he was off guard and in a defenceless position, and so at the mercy of an adversary. The day following the close of the debate the Senate adjourned at an early hour, and Sumner remained at his desk writing. Preston Brooks came up from behind, well protected by friends at hand, and struck the Senator on the head, blow after blow, with a gutta-percha cane. Thanks to the desk which pinioned Sumner's legs, though he tore it from its iron fastenings in the effort to free himself, Brooks was safe, and went out, leaving his victim lying on the floor senseless and covered with blood.

It was true that accounts of mobs had long been daily reading, and Kansas had newly taught the use of fire and the shot-gun. It was true that men daily clicked their pistols to emphasize their fierce debate in the House of Representatives, and it was not uncommon to shoot one another for politics' sake in that time; but the North after all was only beginning to realize these things. The circumstances of this beating brought it home to every slavery-hating fireside. In concrete and visible form, the South had shown its feeling; and that there might be no mistake about it, the whole South now took up the cause of Mr. Brooks. Congratulations and addresses poured in upon him. Cane after cane came duly inscribed. He was the hero of banquets and drawing-rooms. Addresses were presented to him at public meetings. Southern statesmen and Northern politicians, Jefferson Davis and James Buchanan, made equal haste to approve his deed. The press expressed the universal sentiment. It is worth while to quote from one of the leading

papers at length, even at the risk of being somewhat tedious, since it is now so difficult to realize the peculiar temper which produced and applauded such deeds. Said the "Richmond Enquirer": —

"We consider the act good in conception, better in execution, and best of all in consequence. The vulgar Abolitionists in the Senate are getting above themselves. They have been humoured until they forget their position. They have grown saucy, and dare to be impudent to gentlemen. Now, they are a low, mean, scurvy set, with some little book-learning, but as utterly devoid of spirit and honour as a pack of curs. . . . They must be lashed into submission. Sumner in particular ought to have nine and thirty early every morning. He is a great, strapping fellow, and could stand the cowhide beautifully. Brooks frightened him, and at the first blow of the cane he bellowed like a bull-calf."

After a long passage paying like delicate attention to other Republicans, the editor goes on to say: —

"Southern gentlemen must protect their own honour and feelings. *It is an idle mockery to challenge one of these scullions; it is equally useless to attempt to disgrace them.* They are insensible to shame, and can be brought to reason only by an application of cowhide or gutta-percha. Let them once understand that for every vile word spoken against the South they will suffer so many stripes, and they will soon learn to behave themselves like decent dogs, — they can never be gentlemen. Mr. Brooks has initiated this salutary discipline, and he deserves applause for the bold, judicious manner in which he chastised the scamp Sumner. It was a proper act, done at the proper time and in the proper place. . . . It was literally and entirely proper that he should be stricken down and beaten just beside the desk against

which he leaned as he fulminated his filthy utterances through the Capitol. It is idle to talk of the sanctity of the Senate-chamber, since it is polluted by the presence of such fellows as Wilson, Sumner, and Wade. . . . We trust other gentlemen will follow the example of Mr. Brooks, that so a curb may be imposed upon the truculence and audacity of Abolition speakers. If need be, let us have a caning or cowhiding every day. If the worst come to the worst, so much the sooner, so much the better."

The Senate appointed a committee to consider the matter, which retreated behind a convenient technicality, and contented itself with finally transmitting the facts to the House of Representatives. In that body, however, there was excitement enough. A fierce debate preceded the appointment of a committee; a still fiercer debate followed its report that Brooks be expelled. The resolution of expulsion was lost for lack of a two-thirds vote; and Brooks followed a vote of censure by a speech in which he avowed satisfaction with his deliberately planned act, and claimed praise that he did not make it the beginning of a revolution, closing with a grandiloquent announcement of his resignation. His constituents took only time enough for some of the receptions and banquets with which they delighted to honour him, before sending him back again fitly to represent them in the House. Meanwhile a prosecution in the courts of Washington resulted in a merely nominal fine of three hundred dollars.

But the North was equally aroused. Wilson, in a fiery speech on the floor of the Senate, declared the assault to have been "brutal, murderous, and cow-

ardly," — for which a conclave of Southern gentlemen proposed like treatment for him also, and were only dissuaded by the personal influence of Speaker Orr. But a challenge did follow, which he courageously declined. In the House of Representatives one of Sumner's colleagues and defenders, Anson Burlingame, of Massachusetts, was met by Brooks himself with another challenge; and a duel was arranged, but in the end declined by Brooks, who, as he was previously afraid to meet a bigger man in open fight, at this time declared himself afraid to pass through the North to the appointed duelling-grounds at Niagara. If there were public meetings at the South, there were like assemblies at the North, where the aged and conservative Josiah Quincy defended the statesman who had been his student, and joined the fiery Phillips in the fiercest condemnation of Brooks's attack, while they prophesied for the scarred brow laurels that would never fade. The Legislature of Massachusetts resolved that the assault was "brutal and cowardly in itself, a gross breach of parliamentary privilege, a ruthless attack upon the liberty of speech, an outrage of the decencies of civilized life, and an indignity to the commonwealth of Massachusetts." The force of the occurrence and its real meaning is well expressed by Wilson: "Standing alone," he says, "it was but one of many outrages which have disfigured and disgraced human history; but standing as it does in its relation to the irrepressible conflict between freedom and slavery, it was a revelation of a state of public feeling and sentiment, especially at the South, which both startled and sur-

prised the nation and the world. Thus considered, it shows Mr. Brooks as only a fit representative of the dominating influence of the slaveholding states." Wilson became himself a like representative of the effect on the North when he said: "When I lifted his bleeding body from the floor and laid him upon a lounge, and then washed his blood from my hands, I swore eternal vengeance to slavery, and consecrated my life anew to the cause of human freedom." And in like tone Longfellow writes: "I have just been reading again your speech; it is the greatest voice, on the greatest subject, that has been uttered since we became a nation. No matter for insults, — we feel them with you; no matter for wounds, — we also bleed in them! You have torn the mask off the faces of traitors, and at last the spirit of the North is aroused." And some weeks later: "One good result of all this is that at length freedom and slavery stand face to face in the field as never before."

Thus, as so often happens, a picturesque and personal wrong apparently counted for more in the public mind than years of oppression and months of crime. Rather and more truly let us say, it crystallized the feeling already excited and needing a centre. The North came to look upon Charles Sumner as hero and martyr; and round him gathered not only sympathy, but sentiment, — that strongest of all public motives. In a very real sense he seemed to represent the North to itself.

Sumner spent the summer months in a vain search for recovery. The first weeks, at Frank Blair's beautiful country-seat of Silver Spring, did not work that

happy relief which was hoped, and were followed by many months of enforced idleness under the care of those dear friends who made home for him wherever he found them, — the brothers Furness of Philadelphia, — in trying the breath of the sea at Cape May, or breathing the air of the mountains at Cresson. He writes from the latter place in September, "The hardest circumstance in my lot has been the enforced absence from my post for the first time in my life;" and a week later, disappointed at a fresh decree of the doctor, "He insists that I must keep from all chance of excitement before cold weather, if I wish to take my seat at the next session. At times I think him wrong, and then again I feel that he is right. Since I have been here, I have been disheartened with regard to myself. For the present I am *hors du combat.*"

It was October before he reached Boston, and his own house, and the triumphal reception with which Massachusetts was eager to honour him. He had declined to receive the payment of the expenses of his illness which the Governor in a special message to the Legislature proposed that it should pay, and he also refused a magnificent silver vase which his friends wished to present him, — begging them to give the money already subscribed "to the recovery and security of freedom in Kansas," as he had previously said to the Legislature, "Whatever Massachusetts can give, let it all go to suffering Kansas." These refusals only made the commonwealth all the more eager to do honour to her hero. The public reception given him was an ovation in

every sense of the word, but it was not shared by all the people; Boston still turned a cold shoulder to the anti-slavery champion. During the reception every house on Beacon Street, except those of Prescott and Samuel Appleton, tightly closed its blinds, that it might publicly show its disapproval. The scene at the State House, where the public exercises were held in the open air, was beyond description, and nothing was left undone that might be done to show the feeling of the state. The men who ordered and arranged this remarkable demonstration still count it one of the memorable deeds of long lives, and still rank its hero as among the chief of their heroes. One of them, then distinguished as a scholar, and since high in the counsels of the church, looking back over the years, counts Sumner among the greatest men in our history. The words which Professor Huntington used in his welcome on that occasion may well close this account of the most important circumstance of Charles Sumner's life: —

"He returns to his friends; but his friends are wherever justice is revered. He returns to his neighbours; but he has a neighbour in every victim of wrong throughout the world. He returns to the state that intrusted her interests to his charge, — her faithful steward, her eloquent and fearless advocate, her honoured guest, her beloved son."

CHAPTER XII.

1856–1859.

ELECTION OF BUCHANAN. — SUMNER'S SECOND ELECTION TO SENATE. — LIFE ABROAD. — RECOVERY.

THE last half of the year 1856 was not only a time of much importance to the country, but to Mr. Sumner personally. Indeed, it was largely because it was a critical time in national affairs that the assault upon Sumner created a crisis and became of such public importance. Kansas, in a worse case than ever before, was torn with what was in reality a fierce guerilla warfare. The sacking of the free-state towns, Lawrence and Ossawatomie, and the dispersion of the Legislature, had been followed by a sort of armed truce until Congress should fight out the same battle. The House, with a bare anti-slavery majority, bravely and by the hardest held its own against the strong pro-slavery Senate; but the legislative fight was all the more difficult because it was again the time of a presidential contest, and the pulse of Congress rose and fell with the fortunes of political parties and the fevers of the country. Such were the divisions that five presidential conventions were held, and four tickets nominated. The Democrats threw over both Pierce and Douglas for the non-committal and un-

committed Buchanan, and joined with him on the ticket John C. Breckenridge. The new Republican party met for the first time in national convention and nominated Fremont and Dayton, while among their rejected candidates for Vice-President were Banks, Sumner, and Lincoln.

The Know-Nothings split in two parts over slavery, the Abolitionists eventually following their candidate Speaker Banks into the Republican ranks, and the pro-slavery men uniting with the small remnant of Whigs on Fillmore. Fremont speedily gathered to himself all the anti-slavery elements; and although Buchanan's election was a foregone conclusion, it was a matter of general surprise that the Republican strength should count up a million and a half of votes. A few sanguine souls like Sumner expected Fremont's election. From Cresson Sumner wrote to a friend that Pennsylvania would certainly vote the Republican ticket, and Fremont would surely be President. "To this double conclusion," he says, "I have come slowly, but I now rest in it confidently!" Political sagacity was the least of the great statesman's qualifications. Yet to such an extent had the anti-slavery sentiment increased that both sides felt it must be reckoned with, and all other questions of public policy were set aside for the discussion of slavery; every Republican orator urged the cause of freedom, and Southern Democrats did not hesitate to apply the threat of disunion to scourge Northern patriots into their ranks. The Southern governors held a conference to decide the course of their section should Fremont be chosen. In many ways the situation grew dra-

matic, and took on that critical and exciting phase which culminated in Buchanan's administration.

In this time of political uncertainty Sumner, doomed to all inaction but that of an occasional letter, was also met with the personal excitements of the preliminary contest for his re-election. By a curious circumstance the caning occurred just at the close of his first term; it was in some sort a climax for his six years of battle. But it had a more direct mission politically; it was beyond doubt the cause of his second election to the Senate. Massachusetts, as usual, felt more of the Northern political upturnings than most of her sister states. In 1850, Sumner was elected, it will be remembered, by a coalition between the Democrats and Free-Soilers, voting against the Whigs. After two years of that rule, Massachusetts returned to her Whig allegiance, and two years later, in 1854, was swept off her feet by the Know-Nothing excitement, that party carrying every town in the state but one, and choosing so strong a Legislature that in the House there were only two men not of the prevailing party, — a Legislature which chose Henry Wilson to the Senate. And now, in 1856, Massachusetts was still a Know-Nothing state, having distinctly refused to become Republican the previous year, and her Legislature was, to speak broadly, still of that political faith. This party had no affiliations for Sumner, with his love of foreign life and his anti-slavery desires. On the contrary, he had vigorously opposed it all through the campaign of 1854, entirely disregarding the effect on his own re-election the next season. Whether it was sublime disregard of conse-

quences or extreme self-appreciation that made Sumner so frequently forget all personal consequences in marching straight on his determined way, each must decide for himself; but as a fact in this case it put his re-election out of the question, and no one outside a small circle of friends thought of it as a possible contingency. Preston Brooks's beating changed all that. It changed the political complexion of Massachusetts for one thing. The nascent Republican party came suddenly into being, and gave Fremont a majority of two to one over Buchanan and Fillmore. The blows that struck Sumner fell upon the commonwealth, and to her it seemed they were struck by the right arm of slavery itself. All subterfuges fell from her political eyes. Even Boston, the stronghold of the old conservative Whig elements, no longer hesitated to place herself strongly beside the anti-slavery men in her midst. At last the excited Abolition sentiment, always so strong and active in that state, became truly representative. When the new Legislature met in January, 1857, it was of but one mind as to the Senator; Sumner received all but twenty-two votes out of the nearly four hundred, although his opponents made the most of his disabled condition, and even declared that he did not desire re-election.

How completely this was a revolution is curiously shown by a story much current in local political circles and entirely credited by those in a position best calculated to know whereof they spoke. When Sumner was struck down in May, 1856, the Know-Nothing Legislature of Massachusetts was still in its last days, but actually on the point of closing its session. On

one pretext or another, it was said, Governor Gardner kept this Legislature waiting nearly a fortnight, that the result of the Senator's injuries might appear. His death was daily expected; and if this occurred while the Legislature was in session, there was no doubt it would elect as his successor the Know-Nothing Governor, — Gardner himself. If, however, such an event should occur after its adjournment, it was hardly possible for that official to appoint *himself* to the coveted office. But the ten days' delay proved the vitality of Sumner's constitution; and the next election saw the senatorial aspirations of the American party in Massachusetts buried with it.

It is never quite possible to estimate beforehand the strength of sentiment, and Sumner's friend, Mr. Welling, becoming alarmed at what he heard of a secret movement to defeat Sumner on the ground that he was injured beyond recovery, wrote him begging him for some personal action in the matter. To this he replied in a letter containing the following passage characteristic of many things in the man:

BOSTON, 22 December, 1856.
Just seven months since my disability.

MY DEAR WELLING, — When chosen to my present place, I had never held office of any kind. I was brought forward against my often declared wishes, and during the long contest that ensued constantly refused to furnish any pledge or explanation, or to do anything even to the extent of walking across my office, — determined that the office should absolutely and in every respect seek me, and that I would in no respect seek the office. This was six years ago. I see no occasion, nor if there were occa-

sion, should I be willing now to depart from the rule of independence which I then prescribed to myself. I make no inquiries in regard to the course of the Legislature, and of course I make no suggestions; nor shall I do anything directly or indirectly to affect its action. If I am chosen again, it will be as I was before, without any act or word or hint from me.

To the men who were expected to work hard and long for Mr. Sumner's sake, these constant refusals to do anything for himself must often have seemed supercilious; and they lose something of their effect, moreover, when it is remembered that it was still the dignified tradition of Massachusetts that a candidate for senator should take no part in advocating his own claims. Such a course was likely to hinder rather than help his election. Nevertheless, Sumner, however temperament may have biassed him and custom hindered action, was altogether sincere in supposing himself indifferent to office. If some of his contemporaries and most of the men of a later generation are of a different opinion as to his ambition and his efforts, that does not at all detract from his own estimate of his course.

Notwithstanding all his resting and his real improvement, health did not come back for the asking. The strength which he gained in the Alleghanies was not sufficient for the cares and excitements of Boston; and it was but half an existence he lived among his books and his friends, and on the edges of the senatorial campaign. The nerves of the spine were so affected that at first he could not walk across the room, and the injury to the brain caused most acute

agony on any attempt to use it; he "looked like an old man" to his friends in Philadelphia. In November, private sorrow was added to his other burdens by the loss at sea of Albert Sumner and his whole family, — a heavy loss to Charles Sumner. During the winter, though physically much better, his brain still refused the slightest draft upon it, and notwithstanding his repeated determination to begin his labours anew, a single day in the Senate — the last of his old term — was all his broken nerves allowed. Sumner found himself at the first trial absolutely unable for any mental exertion whatever. He only waited, therefore, to take his new oath of office, on the day of Buchanan's inauguration, before sailing for France to seek more complete rest.

Although Sumner went abroad for the few months of the vacation, and made a second brief effort to take up his senatorial duties at the close of the year, it was more than two years before he was able to work again. During that time Massachusetts gloried in keeping one of her senatorial seats vacant, rightly judging its silence a better argument than the most eloquent words. The traveller, so far as health permitted, repeated the pleasures and triumphs of twenty years before. But now he was also of the world of action, and himself had a past of which men might well inquire. Now he was a part of the political life of his own land and generation, and — no longer a learner and listener only — discussed or defended statescraft and policies. At first he lived an invalid life in Paris, but was shortly apparently himself, so that he put his strength to trial among his old haunts. Life in

Europe was the old story over again. If some whom he met once more "seemed changed in mood and character," it is not impossible that the observer had changed also. In France his invalidism was enlivened by daily visits from De Tocqueville, and he discussed eloquence over a dinner-table with Guizot, Thiers, Circourt, Montalembert, and "several more of us," where the talk was of speech-making as an art. Sumner's own share in this conversation is not reported, but as a matter of fact his great speeches were not only written, but either committed or read. A long-time associate of Sumner still tells of the shock it gave him when he first learned that this great man memorized his orations. Going to Washington for the first time from the Baltimore convention, where he alone among the Massachusetts delegation had voted for Scott, Sumner took him to call on Seward as a friend of General Scott. Seward shortly asked when they were to have Sumner's expected speech, and was answered that it was all written, but it was not yet committed! At a later date, however, this fashion — then almost universal in this country, as these famous Frenchmen declared it was in France — disappeared, and Sumner read his speeches from manuscript, or more often from printed slips.

In England, which he sought at an early date, the traveller was again the guest of the great country-houses, and discussed slavery with Argyll and Shaftesbury and Brougham. This question was about to take on a different form, when England's ostentatious desires for freedom must meet the sharp test of the pocket, — a practical test she sadly failed to endure.

Already the situation had greatly changed in a short time, and these statesmen had occasion for discussion far more complicated than theory. But if public affairs claimed a large share of attention, letters and literature were not neglected. Sumner's experiences ranged over so wide a field as lay between Thackeray and Macaulay. Who would not listen in Lord Stanhope's library when Sumner and Macaulay spent a morning together "browsing among the books, pulling them down, and talking them over"? Sumner was much in Scotland also, and under the roofs of the Duke of Sutherland, Lord Aberdeen, or Sir William Sterling Maxwell again saw leisure in its finest sort. He made a trip to Normandy to visit De Tocqueville, on whose walls he found companion pictures of Washington and Hamilton, and another to Guernsey for a visit to Victor Hugo. He caught a glimpse of the Pyrenees, and he was many weeks among the Alps. In December he came home to try his hand at work again; but it was quite too soon, and the winter ensuing was spent in the futile attempt to perform the duties of his position or to regain his longed-for health. In the last effort he spent his time largely among his friends in Boston, where he beguiled many hours with the Gray collection of engravings at Harvard College, and developed that taste for engravings which became one of his greatest pleasures.

On the anniversary of his assault he again sailed for Europe. This second half of his two years' exile was to have its own distinction among all his foreign tours. Immediately upon his arrival in Paris in the spring of 1858, he sought Dr. Brown-Séquard's

advice and care. His treatment proved to be of the heroic sort; and in view of the importance attached by the public to this experience, it is justifiable to quote a part of the great specialist's somewhat lengthy account of his distinguished patient. In a lecture given in Boston in 1871, he said, —

"When Mr. Sumner first came under my care, he was suffering from derangement of some fibres of the nerves. As you all know, he had received a blow upon the head. His spine, as he was sitting, was bent in two places. His bent spine had produced the effect of a sprain; and when I saw him in Paris, he had recovered altogether from the first effect of the blow. He had then two troubles; one was that he could not make use of his brain at all. He could not read a newspaper or write a letter; he was in a fearful state. It seemed to him as if his head would explode, as if there was some great force in it pushing the parts away from each other. Indeed, his emotions were fearful to me. Often, in conversation, if anything was said calling for any degree of deep thought, he suffered intensely immediately, so that we had to be extremely careful with him. He had another trouble; . . . it was a sprain at the level of the last dorsal vertebra. The irritation there was intense, and any motion was extremely hard. When he walked, he had to push forward his right foot and then his left, holding on all the while to his back with both hands to relieve the pain. . . . I told him the best plan of treatment would consist in the application of moxa, — the most painful application to the skin. I asked him if he would not take chloroform to dull the pain or remove it altogether. I shall always remember his impressive assent when I had said that. He said, 'Doctor, if you can say positively that I shall derive just as much benefit if I take chloroform as if I do not, then I will take chloroform; but if there is to be any degree whatever of

greater amelioration in case I don't take chloroform, then I shall not take it.' . . . I told him there would be more good if he did n't take the chloroform. So I had to submit him to the martyrdom of the greatest suffering that can be inflicted by medical practice, and burned him. I thought that after the torture of the first time, he would then resort to chloroform; but for five times after, in accordance with his own determination, the operation was performed without it. I never saw a patient before that would submit to such a thing."

Dr. Brown-Séquard attributes this heroic endurance partly to Sumner's intense desire to return to his work at a time so exciting and so critical, and partly to his sensitiveness to the abuse heaped upon him as a coward and an idler. For these reasons, "he passed through all that terrible and intense suffering," says the Doctor, "the greatest I have ever had the misfortune to inflict, be it upon man or animal."

Something of our fierce ancestors lingers about us yet, for nothing appeals to men more strongly than physical courage. And in Sumner's case this determination to suffer was joined to a high moral courage. Moreover, he was, men thought, a type of the stern Northern purpose and an outward and visible sign of the bloody recklessness of the South. When the sharp treatment he was enduring became known, sympathy entered in, and an admiring horror. Thus he became the hero of the whole North. All his weaknesses and all men's animosities were forgotten, and this champion of the cause became a thousand times the greater champion by reason of his wounds. For Sumner himself it was the most fortunate of events. Other men's labours contributed to the result even

more than his; other men's voices were as eloquent or more important; but until the death of Lincoln, no other statesman was to be a victim. Here and now at the beginning he alone suffered, and in a romantic fashion, he was singled out from his fellows. Thereafter his name was clothed with a glamour it never lost. He was the first conspicuous martyr; and among martyrs as elsewhere, to him that hath it shall be given. The rank and file are forgotten in the glory of the leaders, so that to the public mind he became the first saint in the calendar of the war. In estimating his influence, — always an influence over the minds of men rather than over their deeds, — this must not be forgotten. The enormous power of sentiment was added to all he did or said, — giving him an advantage no one else possessed, until in some quarters his words had the force of an inspired and heaven-dedicated authority. Particularly was this true among that element in New England and elsewhere best described as the Puritan element. Many things in their hero appealed especially to those men and women: his high moral standard, his strong devotion to principle, his ignorance or deliberate disregard of practical possibilities and of consequences, his illogical logic and persistent blindness to any course but the one he chose to consider abstractly right, his sacrifices to humanity, and now his suffering for the cause they had so much at heart. Withal he was no common soldier, but a very splendid knight, with his literary attainments, his social successes, his foreign friends, his handsome presence, and his eloquent speech. The man his admirers imagined was perhaps, after all,

not quite the man his associates knew, but even his faults were in some cases special claims to their regard. They took him at his own estimate, and added to it their own, until he became a very demi-god. And as the Puritan element always formed the very backbone of the American people, it was specially prominent and specially forceful in the period of moral upheaval which preceded the war. Hence the great influence exerted by Sumner finds its explanation not only in the man himself and his words, but also in the soil wherein the good seed was sown.

It is unnecessary to follow in detail the further course of this European experience. It included a winter in the south of France, at Montpellier, where he amused himself with four different courses of lectures, with reading "furiously," and with the usual friendships, that not only were the solace of the hour, but a lasting possession. It was during this double trip to Europe, too, that Sumner began to collect the pictures and bric-à-brac of various kinds and qualities which became such a passion with him. A personal connection of some sort was usually the first cause of Sumner's interest in art as well as in other things. He found in Montpellier a picture gallery in which he specially delighted. In his letters he dwelt upon a certain Greuze, an "exquisite" Salvator, the "beautiful productions" of Poussin, Cuyp, and Teniers. He bought the copy of Tintoretto's Saint Mark which had such special value to him, and he hung his walls from time to time with pictures of the artists he then learned to love. Besides this winter of mental pleasure and physical pain, there was much

travel, especially in France and Italy, "endless baths at Dieppe and endless dinners at London." Magenta and Solferino filled him with excitement, and he rejoiced in the freedom of Italy. De Tocqueville, so lately his host, ended a long life; and at home his circle grew smaller, especially in the death of Prescott, which touched him closely. During this period of enforced idleness he was gratified at the recognition given him by both the great American colleges, Yale and his own Harvard, in conferring the degree of Doctor of Laws. At last Brown-Séquard pronounced the cure complete; and Sumner arrived in Boston in December, 1859, "looking hale and hearty, and calling himself a well man."

CHAPTER XIII.

1860, 1861.

POLITICAL AND SOCIAL CONDITIONS ON RETURN TO WASHINGTON. — SPEECH ON KANSAS. — SUMNER AND SEWARD.

WHEN Sumner arrived in Boston, ready again to take part in the drama already set upon the stage, he was just in time for the bitter end of the John Brown raid, with its special issues and alarms among his neighbours in Massachusetts. It was little wonder that he went to Washington with "sad forebodings." History had been making fast during his absence, though with little outward change in the incidents. The time that Sumner spent in Europe was a time of development rather than catastrophe. It was the time of Buchanan's administration, — a period of division and determination everywhere, and a season of special preparation among the Southern leaders. There have been few periods more important to our history, and few more exciting to those in the thick of affairs; yet these four years are so overwhelmed by those which followed as sometimes to be forgotten.

All the political and legislative struggle over Kansas had brought about nothing more of legal result

than the enforced adoption of the Lecompton constitution, followed by its speedy repudiation; but it was becoming plain to the people of the South, as it long had been plain to their leaders, that only two courses were open to them, — either to force the North to a national sanction of slavery, or to force a division of the country into two trans-continental nations, the one a slave state, and the other free. To this double issue the struggle over Kansas was directed. If it might be a slave state in the Union, very well; if not, stretching westward to California, it very nearly completed the southern boundary. To the end of more slaves for use in these territories, there was much talk of reviving the slave-trade; and some beginnings were actually made, skilfully arranged to appeal to the multitude, by bringing in cheap negroes for the people. Still deeper plans, looking to a possible future, had long been attempted in the filibustering expeditions and diplomatic conferences directed toward the seizure of Nicaragua or Cuba. These attacks upon our southern boundaries were so far the work of the government that Sumner declared to a friend that his first experience of the secret sessions of the Senate had seemed to him like a council of pirates. These Southern publicists, whatever we may think of their doctrine, were statesmen in the largest sense of the word, — they saw clearly what must come; they balanced probabilities, and weighed measures; they matured careful and long-reaching plans; and they educated their public. They played the great game of politics with states for counters; but all their dice were loaded.

Two events of small beginnings grew to such large results as to require more than a passing notice. The case of the slave Dred Scott, carried by his owner back and forth between free and slave states, was technically a simple case of assault and battery against the owner who whipped him in Missouri. A single negro suing in a slave state for an offence so trifling in the eyes of the law or of society certainly seemed a matter of small consequence; but all the questions that excited men's minds on the subject lay folded within it, — the rights of a black man (if indeed he had any); the rights of the slaveholder on free soil and in the territories; the rights of the states within their own borders; the rights of the nation. Sent from court to court through years of varying fortunes, it reached a determination in March, 1857, Chief-Justice Taney delivering the decision of the Supreme Court that that tribunal had no jurisdiction; but lest that should end the case, he went outside, and proffered the views of the court on every count in favour of slavery, summing up the matter that the Constitution distinctly upheld slavery as a national institution. This and the dissenting opinion of Justice Curtis, which took exactly opposite ground, became the great expositions of the different views of the sections. The issue was drawn so clearly that it could not be mistaken.[1]

[1] It is a curious and but little known fact that Dred Scott himself had fallen by inheritance to an estate partly owned by the wife of a Massachusetts congressman, who was at that time enthusiastically fighting the battles for freedom in the House of Representatives. The slave was afterward manumitted by the estate.

The effect of this decision on the North was beyond estimate; but the South was brought to a still greater heat by an occurrence of a different nature, in which the actors were of equally small consequence, — the John Brown raid. Among the Kansas emigrants was this Massachusetts fanatic of freedom, scarcely known in the state of his birth, and dwelling for some years in a remote corner of the Adirondacks, which he had chosen as a fit place for a terminus of the "underground railway." Undistinguished even in Kansas, his very name almost common property, he shortly became either a hero or a criminal with an imperishable fame, for his hand lighted the war-torch, though its flash was premature and speedily smothered. Like all Puritans, he believed right would not only triumph in the end, but that it would triumph to-day if men could be forced to obey. The gospel of the sword was to him the only reasonable gospel, since right was absolute, and could be interpreted in but one way. Believing that no Southerner could fail to know his course wrong, John Brown honestly thought the South fighting against its own conscience, and therefore weak. Furthermore, accustomed as he was to deal with those stronger souls among the blacks who achieved freedom, he dreamed the whole race eager to rise and ready to fight; and since Slavery saw fit to burn and kill in Kansas, he knew no reason why Freedom could not do likewise in Virginia. Thinking thus, and helped on by Massachusetts counsel and Massachusetts money, he deliberately gave himself up to martyrdom, and with a sublime enthusiasm undertook to

incite a general insurrection of the slaves. His futile attempt to capture the United States Arsenal at Harper's Ferry, in 1859, with less than a dozen companions and curiously childish preparations, could have but one result. He was captured, tried, and executed; but the South was on fire with alarm. As a matter of course, this seemed in its eyes the beginning of a Northern plan for subjugation and destruction, — a belief much fostered by the position assumed by the North. So strong was the hatred of slavery in that section that, upon every side, John Brown was canonized, almost deified. Although his attempt was constantly declared foolish and wrong, his high qualities and pure purpose could not be eulogized enough. So nice a distinction naturally could not be seen as far as Virginia. It was little wonder that the South thought him indorsed by the North when Northern women applied to Governor Wise for permission to visit him in prison, Northern lawyers hastened to plead his cause, Northern newspapers and platforms and pulpits apotheosized his splendid courage and heroic devotion, and Northern bells tolled the hour of his hanging. So while the Dred Scott decision finally struck the scales off Northern eyes, the John Brown raid finally united the South.

Politically, the situation was tense to a degree. Although slavery was, as it had been for more than a score of years, the centre of all things, the anti-slavery party had become more than respectable in numbers and adherents. The wave of fortune had receded and again returned, and Sumner found the

new House of Representatives with a Republican majority. He watched eagerly the eight weeks' struggle in which it tried to make John Sherman Speaker, and saw with ill-concealed vexation the twenty-two Know-Nothings — half of them from his own state — dictate a different result; but when it came to legislation, all the anti-slavery elements united, and the South found itself confronted by a strong and stern foe. Moreover, if the blood of these Northerners did not run quite as hot as that of the cavaliers, it ran quite as strong, and, upon occasion, actual fights occurred upon the floor of the House itself; and although the Senate was more decorous in act, it was in a more dangerous mood, because here the threats were deliberate, and they were the utterance of plans only half concealed. In the field of national affairs, Douglas split the Democratic party into two parts by his contradictory manœuvring for the senatorial election and the presidential nomination. The national convention was irreconcilably divided by the demand of the Southern wing that it should openly advocate the principle of slavery under national protection, and by the personal popularity of Douglas at the North. Three tickets finally resulted, — that of the old conservative Whigs, under Bell and Everett, which upheld the Union at any price, and those bearing the names of Douglas and of John C. Breckenridge. To meet these, the Republicans threw over Seward, and nominated Lincoln and Hamlin. But notwithstanding the new strength of that party, its ticket was elected only because of the division among its enemies.

In 1856, when Sumner left the capital, he had few associates; when he returned in 1859, he came back to very different social conditions. The Northern element in Congress had increased to such proportions as to make itself felt in Washington, and the result was a sharp division into two distinct circles, — that of the South, which was "society," and an anti-slavery set. The administration was strongly pro-slavery in its sympathies. President Buchanan — that stateliest of gentlemen — held court at the White House, where he and his beautiful niece, Harriet Lane, imported as many of the customs of the English court as they could fit into the society about them, — a society, which, being Southern, was essentially aristocratic. Never have we had a more dignified or a more elegant White House. The Cabinet ministers were noted for their entertainments, and distinguished senators were not a whit behind them. The diplomatic corps returned the courtesies heaped upon them, in lavish manner. Sir William Gore Ousely brought Lady Ousely, once Miss Van Ness, back to her old friends in Washington, for a season of mingled diplomacy and gayety. The Japanese embassy furnished the excitement at one time; the Prince of Wales shone, a bright particular star, at another; Fanny Kemble was the delight of a season; and Anthony Trollope made his famous visit to our shores. Scandals occurred also, — that last note of fashion. As in past years, the gayety centred around the Southern set; but now there was also another and an opposite circle to divide the pleasures of life. Senator Seward

gave dinners which were quite the equal of those given by the Cabinet. In particular, he introduced Lord Napier, Sumner's friend, now British minister, to the Republican circles, otherwise likely to remain unknown ground to him. Frank Blair, one of the few Southerners who counted his country larger than his state, kept open house for the Republicans in his mansion opposite the White House, or at his beautiful country-place of Silver Spring (Sumner's first refuge after the attack) ; and his brilliant daughter helped her distinguished father and her famous brothers make history over many a dinner-table, and in more than one confidential interview. Charles Francis Adams, then a congressman from Boston, was a conspicuous personage, and his wife a leader of society acknowledged by both sets, — a rare distinction, — while among the young men of that world his son and namesake figured prominently. Mrs. Adams was the authority on etiquette for her inexperienced colleagues ; but if the points they submitted were too hard for her, she would refer them to Mr. Sumner with the remark, " He knows everything of that kind." At that time, many drawing-rooms were open every week, with a pleasant informality now quite forgotten. You might go to the Sewards' on Friday nights, and Saturday nights the anti-slavery men gathered at Israel Washburn's. In the unpretentious parlours of Gamaliel Bailey, on C Street, was to be found the nearest approach to a salon that Washington has ever seen. Clever women and great men met there for conversation ; and the brilliant talk, as in the great French houses, was all

of one mind. Then began also those "evenings" in the modest house on Twelfth Street, where Mr. and Mrs. Johnson and Miss Donaldson, from Philadelphia, made a centre for Abolitionists of the deepest dye. This household was just set up with great difficulty; Mrs. Johnson was for some time obliged to do her own work, since she could not find any *free negro* to do it for her. But from that time on it was always the resort of kindred souls; and there conclaves were held and political plans conceived of no small importance, and there began many philanthropic schemes for the benefit of the despised black man. This house was a special haunt of Mr. Sumner. Here he went "to talk over" things; here he sought rest; here he met his friends, and from this household he asked — and followed — advice; here he found within the circle of the family connection his own dear friends, the Furnesses; and here came Garrison and Phillips and Sanborn and Channing.

In these days, when society turns its back upon politics and smiles sweetly across the bloodiest of chasms, it is difficult to realize — almost impossible to remember — how sharply the lines were drawn between these two sets. The Southern ladies often refused to speak to their Northern associates, and deliberately turned their backs upon the Yankees; an introduction was as often the opportunity for a snub as the beginning of an acquaintance. A child of those days still remembers wondering why this or that lady refused her hand to the child's mother, and beginning at the White House, why some stately per-

sons, of much consequence in the child's eyes, were so cool and scornful! The Northern congressman was left to the gayeties of his own circle, and was only endured where official reasons required that he should be bidden. His children were not much welcomed at school; his boys felt themselves aggrieved, that they could not throw stones at the little "niggers" in the street, — the favourite game of their companions! And this atmosphere of anger and hate grew stronger day by day. When Sumner first came back, it was not at its height; but the next two winters saw its culmination, until secession and the beginning of war cleared the air.

The social centre of the city had changed somewhat since the days of Webster, and the bare spaces behind the avenue were slowly filling up. Willard's was now the common resort of Northern travellers, though the famous Brown's Hotel and the National still held the Southern and Democratic contingents. Mr. Sumner, whose first lodgings were on E Street, just above Sixth, now found an abiding-place on F Street, between Fourteenth and Fifteenth streets, where he remained for many years.

Outwardly the city was much the same. The Virginia mud, which was shortly to become such a factor in the fortunes of war, still controlled the streets of Washington, and the pigs and geese still revelled in it, — rambling up and down the most elegant neighbourhoods, under the very feet of both business and society, and tangling themselves in the wheels of the omnibuses. The public buildings had not added to their number. The Washington

Monument was not one stone nearer completion than ten years before; and the great Dome, half finished, awaited the end of the controversy between Secretary Davis and the sculptor Crawford over the liberty-cap for the crown of the bronze Liberty. "That," said the Secretary, "is a badge of a freed slave; we must have a helmet;" and thus he sacrificed beauty, but after all builded better than he knew, for before Liberty might bear the badge of freedom over the capital of the United States, she must go forth in her might to war.

Mr. Sumner's return did not coincide exactly with President Buchanan's departure. He was at home for the last half of that administration, and was himself a part of that fearful, and never-to-be-forgotten time, — a time when some of those in authority were secretly preparing for war, and some who bore responsibility were endeavouring to defend themselves from they knew not what, and the power lay in hands doing nothing and a head trying to see nothing, and all men were anxious, waiting in fearful hope or despairing terror. He re-entered the arena with one of his great speeches. It was on the Barbarism of Slavery, and he began exactly where he left off. In May, 1856, he spoke on the Crime against the territory of Kansas, and was carried out of the Senate-chamber apparently to die. In June, 1860, he came back into the field stronger than ever, with a speech on the admission of Kansas as a free state. His old antagonist, Senator Butler, and his assailant, Preston Brooks, were both dead; but Mason of Virginia was still his opponent, and around him the

battle had been taken up by R. M. T. Hunter and Robert Toombs, by Wigfall and Lamar, and Jefferson Davis and Chestnut and Benjamin. The bitterness of his arraignment and the fierceness of his invective had lost nothing by the sharp suffering of four years, and they had gained that force which always came to Sumner when in his own person he had felt a difficulty. If he needed this spur fully to arouse him, judge of the effect in force, persistence, and indomitable hate produced by such personal injury and insult, such suffering, as this man had undergone.

The speech itself did not greatly differ from its predecessor of four years before except in its intensity; nothing could exceed that. As the loins to the little finger, so were his direct illustrations of the barbarities constantly practised upon the helpless slaves to those of his earlier speeches, his denunciations of the master, his charges against the Southern statesmen who were plainly enough to their associates determined to ruin the Union that they might rule an unmolested South. More than half of the four hours Sumner occupied with direct impeachment of the character of slavery and the slaveholders, and for the rest he reaffirmed his constitutional position that freedom was national, and slavery sectional. The speech made the sensation that was expected, and perhaps it was not strange that the speaker looked for the same treatment he had received before. The bravado of a wine-party and the threats of one of its members were taken as a definite plan, and Mr. Sumner called upon the Massachusetts delegation to defend him. These gen-

tlemen spent the night in his room on F Street, and accompanied him to the Capitol in the morning, only to find that hero and guard alike were the victims of a drunken bet and a practical joke. But the details of that night's experience exhibit certain of Sumner's peculiarities. He himself superintended the arrangement of his amateur defenders; he suggested the midnight search undertaken by one of his colleagues, with his own private secretary as guide, to find a Kansas champion, then temporarily in the city, who should (and did) act as sentinel the rest of the night; and he spent much time in searching the classics for a parallel case, selecting the story of the Gracchi, and turning down a leaf to mark the place.

This habit of searching the classics for parallels to his career remained with him all his life; he alludes to it in correspondence, makes use of it in his speeches, and comforts himself with it in many crises, even in his matrimonial perplexities. In such trifles as these we discover how large a place Sumner seemed to himself to occupy, and how important to the nation he felt his services to be; and along these lines we find the key to some of his later difficulties. As to whether such an impression of his own preponderating value furnished a needed stimulus to the great ambition which moved great powers, or whether it was the beam in his eye which at last prevented him from doing his best work, men will always differ. Possibly the truth lies between the two interpretations.

Sumner delivered another notable speech immediately upon the adjournment of Congress, at the Cooper

Union in New York. It was an early gun in the Lincoln and Hamlin campaign; and after the fashion of those days of great issues, it dealt with principles, not men. Slavery was handled without gloves and in the same fashion as on the floor of the Senate, and the remedy was declared to be in the Republican party, pledged to its destruction and determined upon it. It would be superfluous to notice single speeches except that Sumner's work was done in this way. It was his peculiar ability to persuade and convince the nation, while his tragic history gave force to his words. This speech at the Cooper Union was a great power, and the country's debt to him for such service, at Washington and elsewhere, cannot easily be measured.

The year ended with the election of Lincoln and Hamlin, and the battle was drawn. The country had determined that slavery should not be extended without limit, and the South took the alternative with eagerness. The foolish North thought the contest won; but the clear-headed and long-looking South knew it was only begun, and her careful preparation had at last come to its own. One of the franker spirits among her own orators openly declared that the secession of South Carolina was in no sense the result of Lincoln's election, nor yet the result of the Fugitive Slave law; that for thirty years the South had looked forward to this time, and was now determined upon its course, "at whatever risk." In the winter of 1861, these preparations centred in Washington. The Secretary of War was rapidly sending ammunition to the South, the Secretary of the

Navy obediently ordering ships to the farthest isles of the sea. The President was by turns bewildered, acquiescent, neutral. In time Secretary Cass gave way to Jeremiah Black, whose patriotism triumphed over lifelong prejudices, and as the winter wore on other strong men came into the Cabinet. One of them believed his allegiance to his country greater than that to his President; and Stanton revealed plots in the Cabinet to a committee of Congress. Night after night he left his communications at a designated spot, whence they were taken and acted upon. Thus it was that Floyd, confronted with his treason by this committee in the morning, was gone before night. State after state seceded; and both Houses of Congress saw Southern statesmen depart who had long been their leaders, and listened to the boasts and threats which were their farewells. The city itself was a hot-bed of treason. The wit and social connections of the women were turned to account in their new business as spies. Army and navy officers saw in the near future the cruel question of their supreme allegiance. No man knew where to step, lest he crush through the thin and trembling crust into the volcano beneath. All men saw that a single wrong move might bring on the dreaded contest; for it was literally true that only by single threads here and there was the fabric held together. One wrong move might tear the Union apart. It was by reason of no fictitious terrors that men like Grimes and Seward could find no place for consultation safe from treacherous eyes, but must meet at their own back doors under cover of the night. As the Cabinet

changed from a council of secession leaders to a band of active patriots, the city became more and more a camp, for troops were hastily summoned to meet the threatened danger. The children of those days still remember their nightly terror as they listened to the tread of the guards and imagined new invasions; but these fancied dangers grew every week more real, for in those months Washington was almost captured more than once.

Measures of all kinds were attempted. The famous Crittenden Compromise was the last effort to compose the difficulty whose only solution was war. The Peace Conference at Albany and the Peace Congress at Washington were equally vain. On the other hand, on both sides, men were urging to immediate war, each side trusting to a false estimate of the weakness of the other; and between them stood other men striving in every way and for many reasons to put off the contest. A recent brilliant writer, himself a participant of the experiences of this winter, has so perfectly described the situation as to leave all other attempts inadequate. Says Mr. Adams, —

"No American then old enough to participate in the course of events will ever forget that winter; a lurid, troubled light hangs over it in memory; and so great was the tension that when at last the inevitable occurred, and the war-cloud burst, the sense of relief throughout the country was universal. At least the period of sickening suspense had come to an end. Between the election in November and the inauguration in March, the one question of practical politics before the country was the transfer of the machinery of the govern-

ment from the hands, either imbecile or untrustworthy, in which it then was, to the hands of the new men chosen to take possession of it. It was the most critical period through which the government of the United States was called upon to pass, — a crisis protracted through months. . . . Had the Southern extremist prevailed, and the Southern blood been fired by an assault on Fort Sumter in January, the slave States would probably have been swept into a general insurrection while Buchanan was still President, with Floyd as his Secretary of War. Had this occurred, it is difficult to see how the Union could have been preserved."

He goes on to say, in a passage so fine it is difficult to omit quoting it, that while for the South the true policy was haste, for the North the only policy was delay until the 4th of March should see the government in safer hands. And for the sake of this delay, it was statesmanship as well as policy to discuss over and over again every possible and impossible compromise. This which now seems to have been the only motive of the compromisers of 1860 was indeed a large cause of their action; but their first and primary desire was some kind of settlement which should avoid war and preserve the Union, and the way to do this appeared to be now in one direction and now in another. Mr. Charles Francis Adams offered a proposition to amend the Constitution, forever prohibiting interference with slavery; but scarcely was that rejected before he himself was of quite a different mind, and the country was of the same uncertain temper. Alarmed at the result of its own action, still clinging to its business interests before all things else, with the popular majority against the new

President, and the border states hanging in the balance, delay was indeed the true policy, whether meditated or not; and for the same reason the Southern leaders were in hot haste. But with Dix and Holt and Stanton, and later Jere. Black, in that Cabinet which Floyd and Thompson had manipulated for the Confederacy, the Union was saved. Unquestionably we owe the nation to that brave and determined group of men who were ready to do anything, to dare all things, to sacrifice more than life if need be, for their country.

Sumner, to whom slavery had become the only point of consideration, and who never considered methods of working, was in no mood for delay. To him it was always true that "in God's war, slackness is infamy." He spared no words to urge the North to immediate war. "The sacred animosity between Freedom and Slavery," said he, "can only end in the triumph of Freedom." And he was hurt and angry at what seemed to him the supine delay and temporizing policy of Seward and the leaders associated with him, and the criminal apathy of the bulk of the North. Then, as always, the two men stood for opposite principles of action. Sumner would have the whole or nothing; Seward thought half the loaf better than starvation. Sumner believed that you could accomplish, by the mere force of decreeing it, that which ought to be, and he translated duty and the ideal alike by his own understanding of those terms; Seward believed that a leader could go no farther than the people were ready to follow him, and you could reach the ideal only by slow steps; and sometimes he

translated duty by the public wish. Obviously, neither was quite right nor altogether wrong. What Sumner longed for and could not bring about, Seward carried forward to success; what Seward planned to bring about with wide and far-reaching insight and purpose, Sumner persuaded the country to believe in and support. They were the right and left hands of national progress. The wiser Seward understood this, and valued Sumner accordingly; but Sumner only occasionally appreciated Seward. His incapacity to understand less direct natures than his own, his impatience at contradiction, his conviction of the importance of the issue, all impelled him to sharp criticism, — an impulse he never failed to gratify; but long association taught Seward to understand Sumner, and his tact was always equal to the situation. Neither yielding nor replying, he pressed on his course.

5-6.16

CHAPTER XIV.

1861, 1862.

BEGINNING OF WAR. — WORK OF CONGRESS. — SUMNER AND THE ADMINISTRATION. — SPEECH ON THE "TRENT" AFFAIR.

AND so the nation forged on its troubled way. The struggle in Charleston Harbor and the fall of Sumter was a rude awakening to the great mass of the people on both sides. The strife was begun weeks before Alexandria or Baltimore saw any shedding of blood; but the country would not believe it. As when one awakes out of troubled sleep, all things are in a maze and confusion, so there was no clear vision anywhere, but distrust, distress, dismay. Lincoln came to Washington, an ill-disguised disappointment to the Northern congressmen, who neither trusted nor admired him, and in that hour of folly set Seward far above him. The inauguration of 1861 saw the beginning of war in the midst of a legislative situation without precedent in any history, perplexing beyond the mind of man to conceive, and difficult to tread as a labyrinth. Much is said of the debt we owe our soldiers, and we may well pay them all honour; but the debt we owe our legislators of that time has been too much forgotten. Theirs was the more difficult task. Upon Congress

was laid the duty of governing a nation on the old principles under conditions so new that the two could scarcely be made to coincide; it must proceed on its own theory that the nation was still a unit, while in fact it waged war upon half the body politic. It was the task of Congress so to preserve the Union that the nation might be re-created out of its broken fragments; to discover a new interpretation of a constitution that all statesmen had read in one fashion from the beginning; to find fresh readings which should meet exigencies undreamed of by any philosopher of any nation. Upon their shoulders lay the burden of democracy itself, for if they failed, the rule of the people was dead without resurrection. They must prove that power was not despotism, but that patriotism could rule as surely as a king; and they must do it by means of the fluctuating will of a people torn with anxiety and fear. All this lay under and behind their action, but it was their immediate duty, amid a daily routine enormously increased, to wage war with undrilled men, to conquer a fierce foe that had prepared itself long and with exceptional forecast. They had neither men nor money nor power; they had first to find authority and then to secure all things. Behind them was a people unprepared, ignorant of the necessity to a degree, and by turns fiercely patriotic, and reluctant for the burdens laid upon them. Day by day problems arose on which turned questions of life and death, and there was divided counsel as to the way of wisdom. On the question of the blockade turned our whole foreign relations; on the exchange of prisoners or the eman-

cipation of the negro, the right to wage the war at all; on the power to tax the people, the whole relation of the citizen to the government. The lightest action of these men must be based on the principles underlying our government. Nothing was superficial or trifling. Nor was the Congress a unit in its purpose or its plan. Strongly and sternly determined that the old flag should conquer, they were of many minds as to the methods of the warfare. Ambition was not dead, but found new food. Old enmities still caused division; and, above all, there were traitors in the camp, — men who hardly concealed their desire for Southern success. Even the ranks of the faithful were altogether divided in counsel; while the fierce Abolitionist always felt that the main point to gain was emancipation, the man of compromise could not forget the Union he loved better than anything else. As months lengthened into years, and men grew wonted to the excitements of war, personal feeling crept in. The chief concern of this representative was to promote the fortunes of some incompetent general; that senator was angry at the treatment of a Cabinet officer, and sulked in his seat. And in a time that tried men's souls, evil was not wanting, — there were bad men in the government, though strangely few and far between. Burdens beyond the telling, anxieties beyond measure, beset the Congress of those five years. Hard work, often tedious and still more often unnoticed, was its lot; but in the fierce light that beset the leaders, or in the rank and file of the great body, these men did their difficult duty, and did it well. Let the issue mete to them their due

praise. None the less than our armies did they fight for us; none the less do we owe them gratitude and undying honour.

It is with this most important phase of our Civil War — as has been said, too often forgotten or neglected for the more showy victories of the battlefield — that Sumner had to do, although for a moment he turned away from it, with a brief dream of the English mission happily unfulfilled. The history of the war divides itself into three periods not sharply and distinctly, much less locally, distinguished. There was the first onset, when both sides rushed to the contest, even in the midst of varying fortunes sure of an easy victory; there was the slough of despond into which both of them fell one after the other, as they discovered it was to be a war, not a fight; and there was the coming of the end, when it was plain to see what the end would be, but it was still a long and uncertain and dreadful passage unto it. In each period, peculiarly delicate and difficult and important questions came before Congress, and Sumner had a large share in their solution; but his *rôle* was always the same. It was his part to discover constitutional authority and legal or political precedent, and his mission to keep the popular heart fired with such enthusiasm as would furnish a strong support to the government. "What does Mr. Sumner think? What will Mr. Lincoln do?" was the significant form of public speech.

How little the Senator sometimes understood the complicated situation, and how thoroughly he believed anything possible at any time that seemed to him right,

appeared at once. The war was hardly begun, before in July he followed our defeat at Bull Run by a bill for confiscating the property of the rebels; and in October, at a state convention in Massachusetts, he made a strong speech for immediate and complete emancipation. Neither practical nor legal difficulties appalled him. We were far enough from dictating terms in those days. Defeated, discouraged, disappointed, we were but learning the art of war, and through much tribulation struggling along the road to freedom; but Sumner would have us issue proclamations of liberty, nor did the intricate constitutional relations of such propositions trouble him at all, — he was used to discovering unthought-of powers in the Constitution, — and the difficulty of carrying out a measure was to him a sort of proof of its necessity. He was moreover blind to the immediate effect on the people of such a course at that time. Sumner is often called a statesman above his fellows, because he insisted on some measure of high principle long before his associates adopted it. It is said that in the end the others came to his position, and thus his political wisdom was vindicated. This is but juggling with words. In this — one of his greatest qualities — Sumner was the prophet, but not the statesman. By this very token he was not as wise for counsel as his fellows. What he hoped for, he believed possible, and he never knew whether the time was ripe for action. The statesman sees both the deed and the hour. Sumner could see only the necessity for the deed; but by much reiteration of its possibility and its necessity, he largely brought on the hour of its accomplishment.

But, meanwhile, so blind was he to present conditions that in the particular case of emancipation he believed it the only way to prevent foreign intervention. Unconscious of the power of the cotton interests, he imagined the anti-slavery England he knew, to be the whole of Britain, and thought to hinder its sympathy for the South by a blow at the very foundations of the cotton system.

As the months of 1861 and 1862 wore away, they brought with them more and more of the horrors of war, and a clearer insight for both sides into the tremendous undertaking. Lincoln called around him a Cabinet of statesmen; and looking back upon them, each in turn seems so great that he fills the whole picture. What shall be said of Seward, whose brain was pitted against all Europe, and always won? Who shall measure the ability of Chase, or the patriotism of Montgomery Blair, ablest member of an able family? And though the historian of the future add blunder to blunder, he cannot hide the fact that we owe the nation to Stanton. There were giants in those days, and among them Sumner walked with equal step. The war went on, but in no sense converged toward a crisis; the rather it dragged on as if there was no end. Defeat at Bull Run and Ball's Bluff was succeeded by victory under Grant and Butler and Foote and Farragut and Porter in the west and along the Mississippi; but the "Alabama" was still scouring the seas, and the "Merrimac" was still afloat, even if temporarily driven back. The Army of the Potomac under McClellan gained the unavailing victory of Williamsburg, it is true; but it halted before

Richmond, retreated before Lee and Stonewall Jackson, and squandered time and heroes and public patience in the Peninsula. The fortunes of war fluctuated between the two armies; on both sides every victory was followed by a defeat, and every repulse in one quarter met by success in some other. Everywhere some South Mountain was the twin of each Antietam. We discovered in those first years that this was war, and the knowledge filled us with gloom and dismay.

The relations between Sumner and the administration were most curious and by no means uniform. With both Lincoln and Seward he was personally on friendly or intimate terms, but publicly they were at constant, sometimes bitter, variance. With Chase, representing the more radical anti-slavery element in the Cabinet, Sumner was on equally familiar terms of private friendship, and in exact proportion to his differences with Seward, in full public accord. Now more than ever Sumner showed what some one has called his "capacity for loving the absolute right abstracted from its practical use." The old Puritan blood in him asserted itself, and with power in our own hands, he deemed it criminal as well as weak not to compel the end desired. He did not stop to consider whether we possessed anything more than the semblance of power, and he would not take into account the conservative necessities of responsibility. The process of educating and representing a whole people, and so ruling them, was abhorrent to him. He believed, as all his ancestors had done, that only his own faction could be right, and he followed that most

specious of false maxims in national morals, — that the right was always the *shortest* line between the two points. These sentiments he did not hesitate to express in public and private. The recently published life of Dana reports Sumner as not only denouncing Seward in the bitterest terms, but even seeking to undermine the Secretary of State among foreign ministers and in correspondence with European statesmen. Certainly with others of his fellow-radicals he did not hesitate to proclaim the vacillation and timidity of the administration on every public occasion; and in this he was privately aided and abetted by Chase, already scheming for the presidency. In the household of Mr. Seward, Sumner was on the intimate terms of old friendship, and his personal relations with the President were of much the same nature as with the Secretary, — friendly and sometimes intimate. At the White House he was always a welcome visitor, and between him and Mrs. Lincoln there sprang up a close friendship, — an alliance offensive and defensive against Seward, it was sometimes said. Sumner found in Mrs. Lincoln a cultivated and agreeable companion, and he was known to say that she was the most brilliant woman of his acquaintance, and one who could carry on conversation in three different languages. They themselves especially enjoyed conversing and even corresponding in French.

But while Lincoln and Seward and Sumner all three valued these close relations and fostered them for public as well as personal reasons, their political relations were of a different character, — a difference

whose cause has already been explained. Sumner could not understand Lincoln, and for a long time did not believe in him. This did not prevent him from constant and reiterated advice, given with a positiveness and vehemence which amounted to direction. Lincoln not only listened to this advice, but often sought it, and found it of the greatest value. It represented that moral sentiment in respect to slavery which he wished to regard, although too wise to follow its methods. Moreover, by frequent consultation with Sumner, Lincoln kept himself in general accord with the advanced anti-slavery sentiment, in a time when he needed the united support of all factions, and thus held to the administration that great body of Northern Republicans who regulated their politics by Sumner's opinions.

With Seward as Secretary of State, Sumner immediately came into official relations. The opening of the Thirty-sixth Congress saw the Senator placed at the head of the Senate Committee on Foreign Relations, — a just and fortunate recognition of his knowledge of its duties and his foreign influence. This made him the congressional mouthpiece of the administration in all matters relative to our most important and delicate relations with other nations, and brought him into constant and confidential communication with his long-time associate. Seward, as had been true so long, understood very well how to manage Sumner's somewhat difficult temperament. Ignoring his public criticisms of the government, the diplomatic Secretary would listen quietly as the Senator declared he could not, he would not, support some measure determined

upon, and then, apparently for the moment setting aside the direct point at issue, would suggest a private letter from Sumner to some foreign diplomat — his friend — which should materially aid the matter. Sumner, as anxious as Seward or Lincoln for the success of the whole cause, would forthwith write the letter, and in the excitement of diplomacy accept the position. It is quite true that in such fashion, and of necessity, was this great man turned about by the tact of his associates. In matters of administration he was a child, but he imagined himself as strong in executive ability as elsewhere. Therefore it was that for the country's sake it was necessary to bring about his acquiescence in methods too slow and too circuitous for his pleasure; and this both Seward and Lincoln knew how to do. They understood him too, — no small matter, — and interpreted his fiery denunciation by their knowledge of his real attitude rather than by the face of his words, — a course which men who came after them could not or would not take.

In the early days of Lincoln's administration we reached one of the many great crises through which we were constantly passing. When Seward was once asked what he considered the darkest period of the war, he replied that it was the time between his sending the memorandum on the "Trent" affair and Earl Russell's answer. This was the unique occasion on which Sumner took the conservative position, when perhaps he saved us from a direr disaster than we imagined. It is necessary to recall only the main points of so famous an episode. In October, 1861, James M. Mason and John Slidell, duly accredited

agents of the Confederacy, and carrying credentials and despatches to foreign governments, took passage for Liverpool, at Havana, in an English ship, the "Trent." Captain Wilkes, the brave commander of one of our war ships, overhauled the "Trent," and took possession of these commissioners, bringing them back to the United States as prisoners-of-war. The country broke out in one chorus of praise. The Secretary of the Navy publicly complimented Captain Wilkes, and the House of Representatives tendered him the thanks of Congress; but if the first impulse was deliriously triumphant, the second thought was indeed sober. England, enraged at the practical application of her own theory of international law, demanded the release of Mason and Slidell, accompanying the demand with unmistakable suggestions of war. Our own people, excited and exasperated beyond endurance, and careless of our desperate situation, cried out eagerly for fighting. The legal question involved, although somewhat complicated from the British point of view, was clear enough from ours. We had transgressed our own precedents, and done that thing which we had so long complained of Great Britain for doing. We had made a mistake, and must say so. But would the country stand such a course; would it endure the humiliation? On the other hand, Great Britain had more than a pretext for war, and could we prevent her seizing upon it, eager as most of her people were for recognition of the Southern Confederacy? Mr. Seward was right in saying that no darker hour came to us than the time when England's course

was still uncertain. The statesmanlike insight, diplomatic skill, and cool judgment in which Seward, Adams, and Lincoln shared equally, were no less valuable to us than the really heroic courage with which, between an excited people and an enraged enemy, they could both stand firm and retreat. The service that Sumner rendered was even more necessary and difficult; he quieted and satisfied our own people, and brought them to the support of the government in its high and difficult duty of "backing down" from its own position. No matter how much policy there may have been in the necessity to escape a war with England, there was no more splendid exhibition of the moral strength of a popular government during the whole war than in the acquiescence of the North to the judgment of the government, and its confidence in the patriotism that yet moved so mysteriously to their view; and this result was due as much to their personal confidence in Sumner as to any other one thing. Himself sympathizing strongly with the American feeling that Captain Wilkes had won a great triumph, he was at first desirous of upholding him; but whether through the influence of Seward and Lincoln, or by reason of his own research, or because much of the responsibility lay with him, and he was never so rash in action as in speech, he speedily saw that this position was untenable, and set himself to make the country see it also. And such was their confidence in his learning, his uncompromising patriotism, his devotion to principle, that the people trusted his judgment and rested on his authority. Sullenly, and with much grumbling, and

often with violent expression of dissent, they followed his lead; but follow it they did. If in those days the ship of state was neither wrecked on the British rock nor foundered in the American whirlpool, it was due in great measure to Charles Sumner. The great speech in which he set forth our position is too close an argument for brief quotation; but it was specially remarkable for two things, — its clear explanation of the fact that we could not hold the position we had taken, and must by our own precedents retreat; and its strong assertion of the absolute Americanism of such a retreat. We must give up to England indeed, but we gave up because it was the only course possible to American principles. We allowed England her claim; but thereby we obliged her to destroy generations of her own precedents, and to acknowledge the wrong-doing of years. We gave up the case in hand, to establish our whole position; and boldly we carried the war into Africa by the implication that, harassed as we were, we were still strong enough to forego our present advantage for the sake of justifying our past and preparing for a future whose coming we never doubted. The splendid boldness of such a position is evident to-day, but in that excited hour the surrender of our prisoners and our pride was a great price to pay, and it needed all Sumner's eloquence to make it palatable. And for that large and influential element who saw that we must give up the men, but needed some justification, Sumner again performed the same service he had done at the beginning in the question of slavery and the Constitution, — he made plain the legal and constitutional necessity of the gov-

ernment's position. It is abundant evidence of the strength of his influence that he satisfied both radical and conservative, and it was equally a tribute to the general confidence in his moral integrity that there was so little talk of English influence. Indeed, it is no less an illustration of his moral power that he took the position he did, and, always so tender of England as he was, once and again withstood her to her face. "The statesman," writes that philosopher among critics, Edwin P. Whipple, "is not so much interested in the devices by which men *may* be influenced, as about how they *ought* to be influenced; not so much about how men's passions and prejudices may be utilized for a momentary advantage to himself or his party, as about how they may be hindered from doing a permanent harm to the Commonwealth."

CHAPTER XV.

1862, 1863.

FOREIGN AFFAIRS. — ANTI-SLAVERY LEGISLATION. — THE SENATE. — DISTRUST OF SEWARD. — THIRD ELECTION TO SENATE.

THE year 1862 saw other important but less conspicuous service performed by Sumner in the foreign affairs of his country. We proceeded to recognize the governments of Hayti and Liberia, — governments that for more than a score of years had knocked at our doors in vain, because the hand that knocked was a black hand. Although we were in the very thick of a war for equal rights, this practical application of our doctrines did not meet with universal favour, but required all Sumner's skill and power to lead us along the path Lincoln marked out. Other important questions arose over our relation to Mexico. Those were the days when the skilled and clever statesmen of the Confederacy had persuaded England, France, and Spain to take counsel of their hopes and enter into their new and brief triple alliance for the glory of France and our discomfiture, — the days of that Mexican house that Jack built, the reign of the proud and brave and unhappy Maximilian and Carlotta. For the first time since the days of Madison we were met by one of those complications so familiar to

European statesmen, so long absent from our annals; but Lincoln was stronger than the Emperor, Seward somewhat more than equal to the great foreigners pitted against him. Congress had the courage of its convictions. Full of perplexity as was our own situation, and dark as the future might be, we would accept no foreign domination, even by indirection. Sumner had no doubting public to convince in this matter. But wild with patriotism though we were, and ready to flaunt the Monroe doctrine in the face of all the world if we could find the chance, we were not ready to pay for it! If any illustration is needed of the fact that we were not even then purged of the commercial spirit that so long refused to stand by our convictions when it cost anything, it may be found in the result of Sumner's efforts in this matter. In his report as chairman of the Committee on Foreign Relations, he recommended that we support the Mexican Republic, and advised that we adopt Seward's suggestion of pecuniary aid, — a report which was half adopted and half defeated. The Senate and the country were ready to honour all drafts on patriotism, but none on the pocket. We were in favour of the Republic, but we would not give a dollar to aid her.

Meanwhile the great champion was not idle in the cause of the black man. One step after another, haltingly or hurriedly as it might be, we walked the path to freedom. The question of the relation of contrabands to the army which had liberated them, the abolition of slavery in the District of Columbia, the granting of patents to coloured inventors, the discrimination against black men in the postal service, the status of

fugitive slaves, the question of competence of coloured witnesses in our courts, the treaty with Great Britain which finally put an end to the slave-trade, — a glance at the list shows how important were the day-by-day subjects of discussion, and how we were hastening on toward at least an outward justice for the negro. These were the every-day affairs of Sumner's life, — the legislative victories of a time that had little else of cheer. In every direction, at this period, our prospects in the field were gloomy beyond description. These were, as the London "Times" declared, "the halcyon days of the Rebellion." Our armies were nowhere permanently victorious; our people were fretful, discontented, and often openly complaining. Enthusiasm was gone, and duty had not come. Politics were disturbed and disturbing, but they must be reckoned with in the general account. The outlook abroad added to the general discouragement. French excitement was supported by English determination, and only Russia was our friend among the nations. The aristocracy fêted the Southern representatives or guided governments for our ruin; while the people, sullen at the cotton famine, eagerly supported their leaders. Only here and there was there any light. The immense influence of the Queen told greatly in our behalf, a few noblemen and great commoners pleaded our cause, and certain Frenchmen of titles that touched the throne lent the power of their presence to our army. Notwithstanding these bright points, a black shadow hung over us. It was easy to say we could not go on legislating toward freedom until power was ours as well as purpose,

but Sumner and those like-minded did not wait for the full dawn. They neither faltered nor halted. By one measure after another they endeavoured to hasten on the day of justice. Many of these measures were premature; some were rash almost to carelessness. But to attribute these defects to Sumner alone and the radical nature of his theories, is curiously unfair. He was never a legislator in the strict sense of the word, and these bills so often laid at his door with censure or with praise were for the most part the work of other men. It was his colleague Wilson who carried through the measures that gave freedom to the District of Columbia, and Dawes who wrote that first Emancipation Bill. It was Wilson again, and Grimes of Iowa, and their coadjutors in the House, Lovejoy and Patterson, who followed up this law which made the Washington negro free by other laws to educate him. If Sumner proposed with undue haste the confiscation of rebel property, it was the sagacious Trumbull who wrote the bill for that unwise measure, and the eminently practical Morrill and the clear-minded Eliot who offered it at the other end of the Capitol. It was Eliot also who equally with Sumner hastened to insist on immediate emancipation; and it was Pomeroy and Ashley who would not down till the territories were free, and who proposed to repeal the Fugitive Slave law. It may safely be presumed too that Arnold of Illinois, the lifelong friend of Lincoln, was not opposing the real wish of the administration, whatever may have been its necessary and wise policy, when in March, 1862, he introduced a bill to make freedom national. Sumner was often unwisely ahead of his

time, it is true, but he by no means stood alone. Too radical a leader he was indeed, but he was no whit more radical than many another man.

Around him in the Senate in those and slightly later days, — sometimes abreast of him, sometimes of a more sober temper, — were many strong men. Among them was Fessenden, compounded of keenness and judgment; the strong and patriotic Zachariah Chandler and Hannibal Hamlin; those undismayed Abolitionists, Ben. Wade and Samuel Pomeroy; Andrew Johnson, then a Democratic Unionist; Timothy Howe, who in after years witnessed his devotion to what he believed the welfare of his country by putting aside for her sake the Chief-Justiceship; old and tried statesmen like John P. Hale and Collamer and Foote; the young but already proven John Sherman, and many another now long well known to fame. Opposed to them were the second of the Bayard line, and the first Saulsbury, and Latham, and McDougall, and Thomas A. Hendricks; the pro-slavery Unionists, Garrett Davis and Reverdy Johnson; and the pronounced traitors, Trusten Polk and Clement C. Clay. The House of Representatives listened day by day through the years that compassed the war to a roll-call of names equally important to our history. Such was the quality of the men who surrounded Sumner, and who called him leader even when they refused to follow.

In December, 1862, the tact and wisdom of Lincoln turned into an episode an occasion which bade fair to be a crisis. The deep discontent at the delays and defeats of our troops was constantly breaking

forth. The conservatives felt that the Union was no nearer preservation than at first, and the radicals saw no prospect of freedom for the negro. This was indeed the brunt of the opposition. The radicals had already seen nearly two years of Republican control and bitter war, but the great anti-slavery cause was not made the chief issue. The Union was put before the cause of the negro; their utmost endeavours had only succeeded in obtaining from the government a provisional emancipation, while it had repeatedly and vigorously refused to interfere in behalf of the slave, sometimes suppressing unregulated efforts to free him. Much of the discontent crystallized round the question of McClellan's retention in command of the army, and its intensity on both sides was greatly increased by the political feeling entering into the question. For that officer in the field, and Chase, and possibly Seward, in the Cabinet, already were posing for the succession to a President whom none of them were yet ready to admire or follow.

Senators — always certain that all real power lies with their own proud body and that their influence should be decisive — entered fiercely into the controversy over the situation, and led by the more rampant Abolition party, determined to settle the matter for the country's welfare. A caucus debated it, and a committee carried out the policy. It was one of those seasons when Sumner's distrust of Seward and, shall we say, contempt of the President, were at their height, and he was foremost in the matter. The committee, of which he was one, waited upon the President, and actually demanded from him the resigna-

tion of Seward, — their whilom idol, but now believed by them all to be the great obstacle to action. The behaviour of Lincoln before this extraordinary demand was consummate in its wisdom and skill. Without at all sacrificing his dignity, he brought about a situation which either compelled Chase to resign also or enabled him to retain Seward, and the discomfited committee retired. Sumner's share in the occasion was considerable, although not prominent, and the somewhat ignominious result did not improve his opinion of an administration with so little judgment.

He had other affairs to occupy him, however, of much importance to himself. It was six years since the assault in the Senate-chamber, and the beginning of his second term in the Senate. Just half of that term he had spent in active service, but those three years were of that aggressive sort which made enemies as well as friends. The autumn and winter of 1862 and 1863 brought round a fresh senatorial election in Massachusetts, which was by no means a foregone conclusion. The uncompromising Abolitionists of the Senate had gone not one whit beyond their adherents in the country in their violent proclamations of dissatisfaction, and their vehement action based upon it. For the followers as well as the leaders, Lincoln was too slow and Seward too cautious. The men who followed Ashley and Pomeroy and Sumner considered this criminal neglect, and not to be condoned; it must be remedied, for the sake of the country and the slave alike; and already they looked forward to substituting Chase for Lincoln.

In Sumner's own commonwealth there was a wide division of opinion along these lines, and, feeding upon it, much scheming and counter-scheming for his seat in the Senate. The state as a whole was for Lincoln, and resented the avowed hostility of the Abolition leaders. To counteract this feeling of resentment, Sumner entered readily into the plan devised by his intimate friend and colleague John B. Alley, which did much toward his election. Mr. Alley wrote for Sumner, and he signed a letter to an imaginary correspondent, which, appearing in a leading Boston paper, set the Senator before his constituents as the friend and not the enemy of the President. His ardent friends in the state central committee early determined upon active efforts in his behalf, and much skilful preliminary work was done, especially by that friend of unfailing wisdom and devotion, William Claflin. When the state convention met, it proved to be composed of both the radical element, altogether in sympathy with Sumner, and the more conservative division, of quite an opposite mind. That Massachusetts Warwick, Frank W. Bird, has given an account of the contest which, although giving too little credit to other and powerful political managers, still gives something of the atmosphere of the fight. In a long description of the work necessary, Mr. Bird says, —

"A few of us, knowing how desperate an effort was to be made to displace him, prepared early for the contest. At that time, as frequently before and since, the leaders of the Republican party may perhaps be said to have been against him, or at least lukewarm. We felt that the

only salvation for him was in an appeal to the people. Four of us met together, and planned the campaign and arranged the whole contest in the state convention. The contest came up as we expected; those who were in it will remember how very sharp and bitter it was, led on the one hand by our late friend Richard H. Dana, Jr., — a professed friend of Mr. Sumner, and yet one who fought the battle that day against him with unrivalled skill, — and on the other side by Mr. Griffin. And the result was as we predicted, — that though at first Mr. Dana evidently carried the convention with him, yet when the masses of the convention saw that opposition to this resolution was really hostility to Charles Sumner, the whole convention went over with a whoop, and he was nominated."

And so much breath did they spend in glorifying Sumner and Wilson that they had none left to mention Lincoln or the administration in their resolutions.

But the whole party was by no means of this temper. The strong faction which Dana had led so successfully for a time — in the hope, it is said, that he himself might gain the coveted seat in the Senate — was composed of various divisions. There was still a strong conservative element in the Republican party, and personal animosities had not altogether died away. The faction that had once ostracized Sumner never loved him; aristocrats of the old India wharves still hated the Abolitionists of Faneuil Hall as much as they loved the Union; other personal quarrels entered in; and there were the many anti-slavery men of moderate ideas and reasonable demands who were strong supporters of Lincoln.

Disappointed by the renomination of Sumner, men gathered from these various sources started a "people's movement," which nominated Charles Francis Adams for senator, but the movement was a complete failure. Mr. Adams immediately withdrew his name. The Democrats, perhaps emulating the first coalition, perhaps actuated by malice, indorsed the movement; and this, in the temper of the public, gave it a death-blow. In January, 1863, Sumner was re-elected by the unanimous vote of the Republicans, and entered upon his third term as senator just as the Emancipation Proclamation altered the whole character of the struggle and introduced the country to a new era.

CHAPTER XVI.

1863.

EMANCIPATION.

To Charles Sumner the Emancipation Proclamation marked an epoch; it justified his past and illumined his future. Nevertheless, it was not to him altogether a time of triumph. To be sure, he was too much a man of one idea to realize that the work so well begun was not thereby accomplished. His faith in moral issues and his single eye for their relation to action blinded him to the future with its unavoidable delays and its time-serving policies. It was not strange that in the first thankfulness for the great victory of Liberty he did not dream of the half-hearted applications we should afterward make of the principles of its great charter. Perhaps the Barons of Runnymede did not foresee 1688, and certainly they did not dream of the Stamp Tax. So in 1863 men believed the battle won for freedom, — and won it was. The question of the use we should make of the victory belonged to a day long in the future; but notwithstanding all these things, the victory was not what Sumner had wished. He was no more satisfied with the Proclamation when it came than he had been satisfied with the delay in issuing it.

There were two reasons — one depending on the other — why this seemed to him but a half-hearted measure. It covered only such parts of the United States as were actually in open rebellion, even down to particular counties in some of the border states, and it was issued on the ground of military necessity. Although in 1852 Sumner's great watchword was "Freedom national, Slavery sectional," in those days he interpreted it to mean the local control of slavery; but the logic of events, as so often happens, had pushed him far beyond that interpretation. And while in the day of Franklin Pierce or James Buchanan he wished slavery left to the control of the states and territories themselves, in the day of Abraham Lincoln he wished it controlled by the nation. Whether or not he had strained a point in the first interpretation of the Constitution, it was easy to see the road clear to his present position. Rebellion had altered everything. The whole South was a *tabula rasa*, he declared; and over it as over the territories in 1856, the nation had complete control, and could, by the old doctrine of Freedom National, free every slave therein. Looking back upon what was then the near future, it is still doubtful whether Sumner's was not the wiser and safer view of the situation; but it was never the doctrine of Mr. Lincoln, who believed in the Constitution more strongly than Sumner ever did, who held in his first inaugural that he was elected to preserve, not re-create, the Union, and who declared in his last public utterance that he had so preserved it. Nor was it ever a doctrine that had the whole North behind it. It is not certain that it could have been

maintained as a matter of fact, whatever might have been discovered as to the constitutional right. Plainly enough, however, these two views opposed each other, and could not be reconciled. In accordance with his theory that the Union still existed, Lincoln freed the slave only where a military necessity required it, and where a state of war gave him those extraordinary powers that took no cognizance of constitutions. Sumner would have had him free the slave by virtue of his presidential authority over new territories flung into the lap of the nation by the states as they departed from it.

Thus, glad and grateful as Sumner was for the Emancipation Proclamation, he saw too clearly the logic of the position under which it was issued, and the consequences which might (and in fact did) flow from such a position, to be altogether satisfied. In truth, no old-time Abolitionist could ever be satisfied with anything less than the entire freedom of every slave on American soil, law or circumstance to the contrary notwithstanding. From the first days of the war Sumner had advocated this step. He always believed that his influence did much to bring Lincoln to that point, — to "screw old Abe up to the sticking-point," as he expressed it, — and constantly stated this as a fact. How much ground there was for this claim never can be known, since it was Lincoln's habit to allow other men to dream that they controlled him. "Don't I get along well with Sumner?" said he one day to a colleague of that Senator, and with an indescribable twinkle of his mouth; "he thinks he manages me." But it was also the President's habit to

listen to the advice of all those counsellors whom he trusted, and absorbing something from each, make up his own mind on the basis of what they had told him. So while all the world knows that the Emancipation Proclamation was written months before any other man knew of its existence, it is more than probable — it amounts to a certainty — that Sumner, as the leader and representative of the Abolition movement, had much influence upon the conception and production of the great Abolition edict. There is more room for doubt as to any direct influence on either the form or the time.

Sumner's first speech on the subject was delivered to a Massachusetts Republican convention, in October, 1861. In this speech he declared his conviction that "the overthrow of slavery will make end of the war;" that we had but to do this, and in a moment "Rebellion will begin its bad luck, and the Union be secure forever." We had "but to make" a simple declaration that all men within the lines of the United States troops were free "in strict conformity with the Constitution, and also with precedent;" but he declared himself in favour of another and higher authority, — "Martial law in its plenitude and declared by solemn proclamation." He was moreover in favour at that time of the "bridge of gold" which was offered by the President in his first proclamation. A little later, in his Cooper Union speech, he declared slavery to be the "origin and mainspring" of the war, and proved his case with that unexampled eloquence of which he was a master, and that force and fire which carried his words straight to their destined point.

The student may well take this remarkable oration as an epitome of the political history of our country in relation to the Rebellion. In it Sumner urged emancipation from every point of view as necessary, inevitable, and the certainly successful end of the conflict. It was said that he could not open his mouth without talking of slavery. Certainly, "all his purpose lay face upward," and at this period he omitted no opportunity, suitable or unsuitable, to urge emancipation. In the last days of 1861, he wrote thus to John A. Andrew, the Governor of Massachusetts: —

"We hope that your message will keep Massachusetts ahead, where she has always been, in the ideas of our movement. Let the doctrine of Emancipation be proclaimed as an essential and happy agency in subduing a wicked rebellion. In this way you will help a majority of the Cabinet whose opinions on this subject are fixed, and precede the President himself by a few weeks. He tells me that I am ahead of him only a month or six weeks."

Incidentally this letter throws a curious side-light on the factions in the Cabinet, and the determination on the part of a certain party in both Cabinet and Congress, not so much to uphold and support the President's policy, as to forestall it, to appear at least themselves to lead, and to force his hand.

The inability to accomplish this purpose through the President, the vexation at his delay, probably did much to hasten the development of Mr. Sumner's views; for in February, 1862, we find that he had ceased to look to the President for help, and urged that the matter was altogether in the hands of Con-

gress. After that time he no longer advocated emancipation by martial law and as a military necessity, but took the ground that state rebellion was state suicide, and the whole South had become national territory, under the constitutional control of Congress. The resolutions which he offered on Feb. 11, 1862, were the first public utterance of the views he ever afterward upheld as to our relations to the rebellious states, and were the foundation of all his later policy in regard to them. It was on this rock that he eventually split from his party and most of his associates. Whether the too hasty development of his views ever would have come about if he could have persuaded the President to an earlier proclamation of emancipation, it is impossible to tell; but certainly it was much hastened by the necessity he felt for discovering some ground to get the power away from the President and into hands he thought wiser and more truly patriotic.

These resolutions held that the secession of a state and the treason involved in it "works instant forfeiture of all functions and powers essential to the continued existence of the State as a body politic," and thereby it became at once and completely national territory; that this "termination of a State" necessarily caused the termination of slavery, which, not being upheld by the Constitution, was only a State institution; that under these circumstances it was the "duty of Congress to see that the supremacy of the Constitution is maintained in its essential principles, so that everywhere in this extensive territory, slavery shall cease to exist in fact, as it has already

ceased to exist in law or Constitution;" that the actual freedom of all slaves resulted from these premises, and should be practically recognized by all authorities, and the national protection guaranteed to the negro; and that by virtue of the first article of the Constitution, "Congress shall assume complete jurisdiction of such vacated territory, . . . and will proceed to establish therein republican forms of government."

It will be seen even in this brief synopsis that these resolutions have the courage of their logic, and that under the position taken here, Sumner could hardly be satisfied with the form of the Emancipation Proclamation. He himself said of this position, in his appendix to these resolutions in his Works: —

> "The principle here enunciated that slavery, being without support in the Constitution or in natural right, fell with the local governments on which it depended, seemed to Mr. Sumner impregnable, and he never ceased to regret that it was not authoritatively announced at an early day, believing that such a juridical truth adopted by the government would have smoothed the way, while it hastened the great result."

Neither then nor afterward could he be made to see that this was a sacrifice of the very principle for which we were contending, — that it implied the very power in the state to retire from the Union which we denied.

All through the year 1862, with its varying fortunes in the field, its political perplexities, and its congressional entanglements, Sumner vigorously advocated these views; and with a magnificent inconsistency he

still advocated the liberation of the negro as a war measure, while he demanded the emancipation of the slave as a constitutional duty. Shortly after the meeting of the Republican state convention at Worcester, whose indorsement had been given him, and the night before that meeting of the Peoples' convention which it was hoped would jeopardize his election, he delivered a speech in Faneuil Hall on the Emancipation Proclamation, which, confessedly, for eloquence and brilliancy can hardly be equalled in all the fifteen volumes of his speeches. It was a vindication of his own course, a thanksgiving and shout of triumph over the first Emancipation Proclamation, brought forth scarcely a fortnight before, a review of the war and its issues, a plea for the Union and Freedom. If anything was needed to prove this man's God-given right to be a leader of men, it was furnished by such magnificent eloquence as this speech. Upholding the administration, holding back his own dissatisfaction, urging the people to new patriotism, witnessing to the moral issues involved, and reverently acknowledging the Providence over all our troubled affairs, this speech more than makes good the claims to greatness so freely made for Charles Sumner.

There has been no such leader since he broke his own staff of power; there has been no orator like him since the day his voice ceased from earthly speech. In those days, when men listened to speeches as for their lives, and decided their votes by their convictions, when political action was determined by principle and not by predilection for men, it was

little wonder that such speeches changed the course of the time. This was his hour of public favour. A vast following believed him beyond his fellows in all gifts and virtues, and gave to him that extreme personal devotion which is the happy lot of a hero; and he had also that still greater satisfaction, the power to turn the wavering to a certain mind, to determine the doubtful and inspire the strong. Men changed their opinions at his word; it is not too much to say, men died for a cause because he had persuaded them to live for it.

CHAPTER XVII.

1863–1865.

SUMNER AND THE SENATE. — FINANCIAL AND GENERAL LEGISLATION. — APPOINTMENT OF CHIEF-JUSTICE CHASE. — PACIFIC RAILROAD.

THE time of Congress during the war period was occupied with the legislation necessary to its conduct, and in these affairs Sumner bore his full share; but except in matters within the pale of our foreign relations or relating to slavery, his influence was not great. There is a view of Sumner's character and career which cannot be ignored, — the view of his associates and companions. In place of the hero and leader he was to the country, the Senate knew him as an impracticable theorist, whose views were not always broad, whose opinions were often so warped by his wishes that his judgment could not be entirely trusted, yet who announced himself as "entertaining no doubt" of his entire correctness, — "seeing my way before me by lights that cannot deceive," as he put it; and as one whose measures must always be altered before becoming useful or even possible law. The Senate knew him also as a frequently heavy speaker, largely without the magnetism of his earlier years, pronouncing orations at great

length, and as a debater more distinguished for sharpness and severity than for self-control and courtesy, "dogmatic and supercilious, frequently curt, and not wholly considerate, — often bearing himself as if properly doubtful of the honesty, good sense, and pure intention of all who differ with him on what he considers an essential issue."

He was known to his associates, too, as one who was in a constant succession of small quarrels with the men around him, — quarrels which he allowed to influence both his view of public affairs and his votes to an astonishing degree. There was something of the rule or ruin about him in his legislative career, — a trait to which he was personally so blind that he constantly asserted that he never felt the slightest movements of revenge or enmity. And so sincere was this judgment of himself that his nearest friends outside of the circle of his associates never could believe that he did thus indulge his personal feeling. In truth, he so identified himself with his policy, and believed so thoroughly all who opposed him to be enemies of his country, that he considered it duty to hinder their every plan and denounce all their motives. He knew he loved his country, and he thought his measures the only right measures for its good. Thus he firmly believed it patriotism, and not personal feeling, that ruled his conduct; and yet in reality no man ever was more moulded by personal feeling. It was the key to his action. And it was his greatest glory that he did make the sacrifice of personal feeling when principle clearly demanded it; it was life itself he gave up at such times.

Many of the measures which occupied Congress were financial. The need of procuring money for the conduct of the war produced the Legal Tender act, for which the authority of the Constitution was stretched to its utmost limit. Sumner, in common with many others, assented to the necessity while he deplored it. The national banks were created, and the Internal Revenue tax laid; and again Sumner felt that "the general welfare and the common defence" furnished cause sufficient for these measures, and for securing a national currency to be "to the whole country like the horn of abundance." These were necessary sinews of war, and whether he doubted or approved the policy, his patriotism insisted on maintaining it.

It can well be believed that his was no uncertain voice on the employment of negro troops, the exclusion of the coloured man from the witness-box, coloured suffrage in the city of Washington, or the final repeal of the infamous Fugitive Slave acts. The long discussion over the question of equal pay for the coloured troops reads curiously in the light of history. And it is still more strange to find James A. Bayard resigning his seat because he would not allow the constitutionality of that oath in which senators of the United States declared they never had given aid and comfort to the enemies at that moment seeking to destroy the existence of their country. Sumner declared in the debate on this question, —

"Others may think that Jefferson Davis, Robert Toombs, or Judah Benjamin may resume his seat in this body on taking a simple oath to support the Con-

stitution. I do not think so. Nothing is clearer than this: a traitor cannot be a member of the Senate. But a person who cannot take this oath, retroactive though it be, must have been a traitor. Once a traitor, always a traitor, unless when changed by pardon or amnesty."

These words sound somewhat strangely to the ears of a later generation eager to condone or excuse treason, but they were the deliberate judgment of one who knew what treason meant. And it is doubtful whether the author of the Civil Rights bill would believe the time had come to wipe this oath off the statute-book "as a just act of clemency and condonation" until the leaders of this treason were ready to accept the principles against which they fought, as well as the results of defeat.

Hatred of slavery was always the touchstone that decided Sumner's constitutional views. For its sake he came to hold high nationalistic principles, and he did not falter at their logic. When the military situation required the new state of West Virginia, unlike most of his own colleagues in the House and senators like Trumbull, he had no hesitation over the power to divide the unwilling state of Virginia, no doubt that the Wheeling Legislature was the real and only Legislature of that state; and he recognized the logic of his position by asserting the national power to prohibit slavery therein. This last view caused some of his anti-slavery associates in the Senate to hesitate lest they coerce the people of West Virginia! Sumner had the courage of his convictions in his position. Thaddeus Stevens presented it somewhat more boldly when he declared that this action un-

doubtedly violated the Constitution, but that the rebellious states were entitled to no constitutional protection, and that the new state must and should be created under the unlimited war power. It was the high nationalistic view which Sumner had always held on occasion, and which had developed from his first more constitutional theory, until it was now his settled and basal conviction.

Another measure showed to what an extent he carried this view. In itself of trifling import, it seemed to Sumner to carry far-reaching results. This was a bill authorizing all railways in the United States to convey troops and munitions of war. It was aimed at a railway in New Jersey which had obtained a monopoly of that service from the state, and was intended to overset that grant by the power of the general government. Sumner fought for this bill through two sessions, on the high nationalistic ground; but it was opposed and finally defeated as a dangerous usurpation of power on the part of the central government. It is interesting to compare it with recent legislation, to mark the growth of the idea of centralization in the quarter of a century which has passed since then. In connection with this bill also, we have an indirect illustration that Mr. Sumner was much like other men to those who saw him day by day, and a strong side-light on those ever-interesting relations between two such positive characters as Lincoln and Sumner. The private diary of Lincoln's secretary, Col. John G. Nicolay, gives us this curious story, lately published by Nicolay and Hay: —

"I went to the President this afternoon [Jan. 18, 1865], at the request of Mr. Ashley, on a matter connecting itself with the pending amendment of the Constitution. The Camden and Amboy Railroad interest promised Mr. Ashley that if he would help postpone the Raritan Railroad Bill over this session, they would in return make the New Jersey Democrats help about the amendment, either by their votes or their absence. Sumner being the Senate champion of the Raritan Bill, Ashley went to him to ask him to drop it for this session. Sumner, however, showed reluctance to adopt Mr. Ashley's suggestion, saying he hoped the amendment would pass anyhow, etc. Ashley thought he discovered in Sumner's manner two reasons: (1) That if the present Senate resolution [for a constitutional amendment] were not adopted by the House, the Senate would send them another, in which they would most likely adopt Sumner's own phraseology, and thereby gratify his ambition; and (2) that Sumner thinks the defeat of the Camden and Amboy monopoly would establish a principle by legislative enactment which would effectually crush out the last lingering relics of the States-rights dogma. Ashley therefore desired the President to send for Sumner, and urge him to be practical, and secure the passage of the amendment in the manner suggested by Mr. Ashley. I stated these points to the President, who replied at once: 'I can do nothing with Mr. Sumner in these matters. While Mr. Sumner is very cordial with me, he is making his history in an issue with me on this very point. He hopes to succeed in beating the President, so as to change this government from its original form, and make it a strong centralized power.' Then calling Mr. Ashley into the room, the President said to him, 'I think I understand Mr. Sumner; and I think he would be all the more resolute in his persistence on the points which Mr. Nicolay has mentioned to me, if he supposed I were at all watching his course in this matter.'"

Sumner's unconscious habit of looking at all things through their personal relations to himself or his views, received curious illustration when as an advocate of peace he added to his battle-flag resolution another forbidding any painting in the Capitol of a victory "in battle with our fellow-citizens," but in the same debate advocated the purchase of Carpenter's picture of the Emancipation Proclamation. And when, a little later, the proposition came before the Senate to add the bust of Taney to the other heads of the Chief-Justices in the Supreme Court room, he spoke vehemently against it, with an abuse of the Dred Scott decision and its author as forcible and unrestrained as his powers could make it. He could not see that the vacant niche he desired was a greater insult to history than any fancied affront in all the names of all the victories the Union armies had ever gained.

The appointment of Chase to the place of Chief-Justice was a matter Sumner had much at heart. Immediately upon the death of Taney, in October, 1864, he urged it upon the President in season and out of season, personally and by letter, and by all the influence he could command from every quarter. The President consulted with him frequently and at length upon the matter, and although it was from the beginning Lincoln's own intention and desire to appoint Chase, it is without doubt that Sumner's words were potent with him. A circumstantial story is told that he first offered the place to Sumner himself, but this statement cannot be true, for obvious reasons. Secretary Chase's brilliant and

beautiful daughter, Mrs. Sprague, the most able politician ever known in the list of distinguished American women, did not hesitate to charge Senator Sumner directly with doing what he could thus to "shelve" her father, that he might get him out of his own path to the White House. But however true it might have been that there was some lurking feeling of this sort, the conscious motive with Sumner was apparent enough. He saw that the future of the nation required a Chief-Justice whose decisions should uphold the great anti-slavery legislation of the war, and he felt sure of the great leader of the extreme radical wing of the anti-slavery party. From this high and characteristic motive, therefore, he did what he could to bring about the appointment of the man who, in after days, under the fascination of that ambition which both Lincoln and Sumner hoped to quench, sacrificed upon the altar of the presidential nomination much of the legislation he was appointed to preserve.

Few matters not connected with the war came before Congress between 1861 and 1865; but occasionally Sumner appeared as the advocate of some lighter measure in which he took the interest natural to him from his old habits, — such as the use of parchment by Congress, or the duty on imported books; and in 1864 he made a proposal for a civil-service commission which he never afterward followed up. But even the side issues were mostly of a military character, — such as the creation of the offices of Admiral and Lieutenant-General, the establishment of a hospital corps, and as early as May, 1862, the

first appearance of his famous resolution that the names of our victories should not be inscribed upon the battle-flags. Among the other subjects which Sumner took up was the promotion of the great scheme of a trans-continental railroad. In these days, when Pacific railways have long been the ordinary and multiplied highways of traffic, and indeed have become but counters in the game of commerce, we hardly give due importance to this first great work; we hardly realize how daring a scheme it was, or appreciate the courage, the faith, the patriotism, which led to the enormous risks and desperate labours of its first projectors; nor do we always remember how greatly the enterprise contributed to the loyalty of the Pacific coast, and in its own way helped to preserve the Union. Sumner's words are trite enough now, but in 1863 they were illuminating as well as wise: —

"Let the road be built," he writes, "and its influence will be incalculable. People will wonder that the world lived so long without it. Conjoining the two oceans, it will be an agency of matchless power, not only commercial, but political. It will be a new girder to the Union, a new help to business, and a new charm to life. Perhaps the imagination is most impressed by the thought of travel and merchandise winding their way from Atlantic to Pacific in an unbroken line; but I incline to believe that the commercial advantages will be more apparent in the opportunities the railroad will create and quicken everywhere on the way. New homes and new towns will spring up, making new demand for labour and supplies. Civilization will be projected into the forest

and over the plain, while the desert is made to yield its increase. There is no productiveness to compare with that from the upturned sod which receives the iron rail. In its crop are schoolhouses and churches, cities and States."

CHAPTER XVIII.

1863–1865.

ELECTION OF LINCOLN AND JOHNSON. — SUMNER'S POSITION. — GENERAL LEGISLATION. — THE THIRTEENTH AMENDMENT. — REPEAL OF FUGITIVE SLAVE ACTS. — RECONSTRUCTION IN LOUISIANA.

THE fortunes of war slowly turned in our favour. The capture of Port Hudson and the double victories of Vicksburg and Gettysburg changed dismay and terrible anxiety into triumph, but the stern necessity of a draft to fill our depleted ranks created an enemy in the rear. The terrible New York riots answered our victories almost to the echo, and the resulting alarm was by no means dispelled by our success at Lookout Mountain. Nevertheless, 1864 was the last year of the war. The promise of the end was with Sheridan in the Shenandoah Valley; with Sherman, at Atlanta; with Grant, fighting it out through the summer before Richmond. Northern writers consider Gettysburg and Vicksburg as the critical battles of the war; but many in the South believe their cause lost at Winchester.

The political horizon was still overcast. Notwithstanding that we had by law forever abolished slavery, and by the strong right arm of war were daily making freedom a fact and the Union something more than

a name, there was still a vast amount of dissatisfaction with the administration. In the Cabinet, in Congress, in the country, there was secret or open determination that the presidential campaign of 1864 should put some one else in the place of Lincoln. He moved too slowly for the radicals, too fast for the conservatives. But if the Republicans were divided, the Democrats were still more so, and party lines were much entangled, for men called by every political name were to be found in all divisions on both sides. The witches' broth was largely compounded of personal rivalries, animosities, and disappointments, and personal ambition fed upon it greedily. Chase did not neglect to nurse his opportunity; Grant was vainly besought to allow the use of his name; McClellan was ready for anything that would secure the nomination. The first step in the radical campaign was taken in Congress by a group of members from both Houses, in which Sumner was prominent. They prepared a circular, known, from the only name that appeared, as the "Pomeroy circular," setting forth their dissatisfaction with Lincoln, their conviction that the war should be prosecuted more vigorously, and their support of Chase, and this they distributed broadcast over the land. The circular raised a storm of wrath in the country, and promoted an early enthusiasm for the President far enough from the purpose intended by its framers. The open declaration of Ohio for Lincoln obliged Chase to withdraw his name, and the unexpected feeling developed caused most of the men who had conceived the plan hastily to with-

draw their support. Senator Pomeroy, at least, had the courage of convictions which others were unwilling to avow. Notwithstanding the failure of this first attempt to make Chase president, the intention remained throughout the whole summer, and became an important factor in many political movements. Especially did it increase the friction between Seward and Chase, and even between Chase and the President, and resulted, three weeks after Mr. Lincoln's renomination, in the resignation of Chase from the Treasury Department. The appointment of Fessenden as his successor, satisfactory as it was to the country, had political connections not without meaning in the great political strife waging in the North.

The attempt of the "radical men of the Nation" to crystallize their adherents round Fremont proved so weak that their candidate withdrew before election, and all other organized efforts against the President met with a similar fate. When the Republican convention met in Baltimore, it nominated Lincoln unanimously, but this apparently foregone conclusion was by no means brought about without effort. The determination for some more radical candidate had not subsided, and management and political organization were necessary to bring about the result. The radical element was heard more than once in the preliminary struggles, and at last, defeated in its chief desire, determined still to make itself felt and to be officially recognized. A contest therefore arose over the place of Vice-President. To the final nomination of Andrew Johnson three leading elements contributed: the influence of New York,

the influence of Massachusetts, and the influence of President Lincoln. The delegation from Massachusetts felt, and with some reason, that they did much to bring about the result; and it is beyond question that Mr. Sumner's influence and Mr. Sumner's wishes were strong upon them. The three prominent candidates for what then seemed only a dignified and formal office were the Vice-President Hannibal Hamlin, to whom the nomination was due; Daniel N. Dickinson, of New York, and Andrew Johnson, of Tennessee. Mr. Lincoln, always an astute politician, knew that in the political crisis which was upon the country, the wavering support of the Democrats must be held to the administration, and he believed it necessary that the Vice-President should be identified with that body. This feeling he refused to make public even under the greatest pressure, but it was discussed freely in private conferences, and well known in trusted quarters. It was hardly a secret then, and it has long since ceased to be a secret, that confidential embassies sounded different prominent Democrats, among them General Butler and Governor Johnson, — the first refusing curtly, the second eagerly welcoming the suggestion. This desire of Lincoln was in no sense personal, but a firm conviction that the welfare of the country absolutely required such a course. As so often in our history, the internal politics of the state of New York proved a disturbing element. Mr. Seward's friends would not allow the choice of Dickinson, and so once more Thurlow Weed dominated the action of a Republican convention. The Massachusetts delegation

were in their turn influenced by personal prejudice, though probably without their knowledge. Sumner had for some time been in a chronic state of quarrel with Fessenden. It was a matter of temperament largely, and it had no great cause, but the rather grew out of personal incompatibilities and the wish of each to control the policy of the Senate. Their differences were frequently made up, and as often broke out again. It is impossible, in listening to contemporary anecdotes of their relations, to avoid the conclusion that in this case, as in so many others, Sumner felt difference of opinion to be a personal affront, although he speedily condoned these affronts when his opponent was politic enough to agree to his course and praise his action. Certainly, his hostility and consequent distrust of Fessenden and Fessenden's friend, Hannibal Hamlin, had much to do with his views as to the Vice-Presidency in 1864; while, on the other hand, he greatly admired Johnson, who was just then in so radical a mood as to seize every opportunity to antagonize the President. Largely without their knowledge, Sumner's influence was strong upon his friends both from his own state and elsewhere, to persuade them to the choice of Johnson, — a result which it was believed at the time was largely due to the Massachusetts delegation. What he thought of it, appeared after the convention when these men came to Washington to consult with him. Speaking to one of his colleagues, a strong friend of Hamlin, they justified their action thus: "Do you know what Sumner says? He says he wishes the ticket were turned

round, and it was Johnson and Lincoln." And in still less guarded phrase the Senator complained to another of his colleagues that the American people were so deluded as to renominate Lincoln, for the weakest man in the Massachusetts delegation was better qualified to be President. Nevertheless, he loyally upheld the ticket with the whole force of his power and eloquence.

If anything was needed to prove the necessity of Lincoln's well-known phrase uttered at this juncture, that it was not best "to swap horses in the middle of the stream," it was furnished by the course of events during the summer. The country, and especially the Northwest, was honeycombed by secret societies of a military character whose purposes included organized arson and murder, and whose avowed object was the capture of that section and the establishment of a separate confederacy, affiliated to that of the South. In addition to this, schemes were planned, and in some cases, attempted, from the safe seclusion of Canada, to burn the Northern cities or devastate them with yellow fever. The loud protestations of those who still sympathized with the South persuaded the Confederate leaders that the North was so permeated with disaffection as to need only such opportunity and encouragement to bring about a general domestic warfare; and much aid and comfort was given this idea by the conduct of men of such opposite opinions as George Ticknor Curtis and Horace Greeley, who joined in a frantic cry for peace. With them were the business interests

of the country, groaning under the burdens of war; and that section of the Democrats which loved the South under any circumstances, hastened to add their demands for peace at any price. The Confederacy made bootless overtures of a semi-official character through its Vice-President, Alexander H. Stephens, and by an authorized commission. Lincoln went so far as to offer to listen to these proposals, especially persuaded thereto in the latter case by Greeley, all whose great influence was demanding peace, peace, always peace. But in the end, all efforts made it more evident that peace could come only by one of two ways, — by submitting to slavery or by conquering it. In the midst of this open opposition and secret intrigue, the Democratic convention nominated McClellan and Pendleton, — the latter closely connected with the South by family ties, — declared the war a failure, and demanded an immediate cessation of hostilities.

These complications did not hinder the more radical Republicans from stirring up more strife. In December, 1863, President Lincoln attempted a partial reconstruction of the border states by a proclamation issued in virtue of his military power. This was a direct blow at the theory held by Sumner of state suicide; for it must not be forgotten that one moving cause for discovering this theory was the desire to bring reconstruction and the future of the South under the hands of a radical Congress, rather than the cautious and conservative President. To meet this action of the President, Henry Winter Davis introduced a bill into the House to bring the

matter under the control of Congress and destroy the effect of the proclamation. When this measure reached the Senate, Sumner was specially earnest for its adoption, and it was a deep disappointment to him when it was finally vetoed by the President. In July, Lincoln issued another proclamation, somewhat in the nature of a brief for his view, explaining his position that such a policy made the fatal admission that the seceding states had taken themselves out of the Union, and reaffirming the first proclamation. It was hardly to be expected that the radical wing, already disaffected as it was, and sincerely doubting Lincoln's hatred of slavery, would receive such a blow in quiet; and Ben. Wade in behalf of the "Senate Committee," with Winter Davis representing the House, issued a violent manifesto dealing with Lincoln in no measured terms, and intended even then, at the last moment, to supersede him as the Republican candidate.

Changes in the Cabinet created new points of soreness in the Republican ranks. Montgomery Blair's resignation resulted in a crop of personal differences and factional quarrels, while Chase's efforts for the place of Chief-Justice produced a like effect. Numberless other greater or less appointments made their usual excitement and left behind them fair-weather friends and bitter enemies. The new draft created disturbance and distress. The desperate efforts of the Confederacy to secure its recognition in France and England wanted only a hair's-breadth of success, and added to our alarm

at home. Seldom has the democratic principle of government been put to a greater strain than during the dreadful summer of 1864. But Winchester and Mobile and Atlanta saved our cause in Europe, swelled the triumph of the administration at the polls, and brought the end of fighting within sight of the troops.

During the long and earnest campaign, Sumner did not allow his political anxieties to weaken the tones of his patriotism. In two of his speeches — at Faneuil Hall and at Cooper Institute — he declared himself in this wise: —

"I have no hesitation in saying that in voting against Abraham Lincoln you will not only vote against Freedom and for Slavery, but you will vote against your country and for the Rebellion. There can be no third party now, whether in the name of moderation or in the name of progress, as there can be no third party between right and wrong, between good and evil, between the Almighty Throne and Satan. There can be but two parties here. Choose ye between them. One is the party of the country, with Abraham Lincoln as its chief, and with Freedom as its glorious watchword, and the other is the party of the Rebellion, with Jefferson Davis as its chief, and with no other watchword than Slavery. . . . As in the choice of Hercules, there are here before you two roads, — one leading to virtue and renown, the other leading to crime and shame. Choose ye between them. Vote against Abraham Lincoln, if you can, or stay at home and sulk, if you will; you have only, as a next step, to go over to the enemy."

And in a brilliant and able summary, he goes on to review the work and expound the principles of the

Republican party. "I regard it an honour," he says, "to belong to this party, so great in what it has already accomplished, and greater still in what it proposes. Other parties have performed their work and perished. The Republican party will live forever in the gratitude of all who love liberty and rejoice in the triumphs of civilization." The Cooper Union speech was in his most elaborate style, — a great oration. It does not lend itself well to quotation; but a single sentence will show in its first clause how little Sumner realized that in his doctrine of state suicide he had forgotten his logic, and in its second proposition hints at one aspect of the war which is still a problem when outward peace has become a tradition: —

"The triumph of the Rebellion will be not only the triumph of belligerent Slavery, but also the triumph of State Rights, to this extent,— first, that any State, in the exercise of its own lawless will, may abandon its place in the Union, and, secondly, that the constitutional verdict of the majority, as in the election of Abraham Lincoln, is not binding. With these two rules of conduct, in conformity with which the Rebellion was organized, there can be no limit to disunion."

The party in which Sumner was a leader was responsible that their very zeal for emancipation blinded their eyes to the second of these great difficulties, and left their country with a half-settled problem to vex it for more than one generation; and the end is not yet.

Thanks to our generals, the election in November was an overwhelming triumph. Alexander Stephens

was right in his prophecy that Confederate success in battle would elect McClellan, while Confederate defeat on the field would bring certain Democratic defeat at the polls. The November election proved what Sumner had prayed that it might be, "the final peal of thunder which shall clear the sky and fill the heavens with glory." Said he in Faneuil Hall on the evening of the election, —

"Let the glad tidings go forth to all the people of the United States, at length made wholly free; to foreign countries; to the whole family of man; to posterity; to the martyred band who have fallen in battle for their country; to the angels above, — ay, and to the devils below, — that this Republic shall live, for Slavery is dead. This is the great joy we now announce to the world. From this time forward the Rebellion is subdued; Patriot-Unionists in the Rebel States, take courage! Freedmen, slaves no longer, be of good cheer! The hour of deliverance has arrived."

The last session of the Thirty-eighth Congress — the period between Lincoln's election and his assassination — was an eventful time for the country, but a time of development and ratification. This Congress, which began its work in the gray dawn of Gettysburg, steadfastly kept on its way looking to a hopeful future, furnishing the sinews of war by such vigorous measures as the internal revenue and income taxes and the national banks, upholding the odious but necessary drafts, wiping out the Fugitive Slave law, and starting upon the constitutional amendments. Its second and closing session finished these labours in the glorious sunshine of military and

political victory. The great war serpent, whose head was before Richmond, and whose coils stretched all the way from Atlanta to the sea, was slowly and surely crushing the Confederacy. At home the numberless birds of evil omen that flourished in the darkness disappeared as the light grew strong and steady. Statesmen began to think of the afterward, and to plan for the times of a peace whose terms should be settled neither at Richmond nor Niagara, not yet in London, but in Washington. The Emancipation Proclamation bore its own fruit. The first of the great amendments to the Constitution which are the real results of the war, was debated in Congress from December, 1863, until the last day of January, 1865. On that day, amid a scene in the House of Representatives of unparalleled excitement and joy, Congress finished the work, and adopted the amendment prohibiting slavery throughout the territory of the United States, and striking out those passages of the third paragraph of the Constitution which recognized human property and based congressional representation on slaves. The amendment was not ratified for ten months longer; but the legislative work began with the first weeks of the first session of the Thirty-eighth Congress, and ended in the last weeks of its last session. Sumner did not take great part in the debate. In fact, he believed a constitutional amendment undesirable, being a confession that the Constitution needed amendment, a doctrine incompatible with his interpretation of that instrument. And he laboured much in private to bring his associates in both Houses to the

opinion that a simple statute was all that was necessary. Especially did he seek to convince Thaddeus Stevens, the leader of the House, but quite in vain. Mr. Stevens humorously told him that if this was the true doctrine, nevertheless, "No other fool but you and I and Kelley will believe it!" Sumner finally himself changed his position, and at the last spoke in favour of the resolution on the occasion of offering a verbal amendment. This somewhat laboured effort was chiefly devoted to reiterating his well-known position that the Constitution did not permit slavery, that the Declaration of Independence upheld Freedom, and that we needed but a statute to wipe out slavery. But he declared himself desirous to "strike at slavery wherever I can hit it;" and for that reason he supported the amendment, and even sought to alter its phraseology and base it upon the French idea of equality, rather than upon our English inheritance of liberty.

Among other measures hanging upon it was the establishment, after much opposition, of the Freedman's Bureau, — a measure introduced and championed by Senator Sumner, who termed it, with his singular felicity at phrases, "a bridge from slavery unto freedom."

Interspersed with the debate on the Thirteenth Amendment, was another of importance only second to it, — that upon the repeal of the Fugitive Slave laws. This was Sumner's own bill, and he gave it active and persistent support. As he said in his main speech upon it, "I was chosen to the Senate for the first time immediately after the pas-

sage of the infamous Act of 1851. If at that election I received from the people of Massachusetts any special charge, it was to use my best endeavours to secure the repeal of this atrocity. I began the work in the first session I was here. God grant that I may end it to-day!"

The difficulties in the way were partly questions of constitutional interpretation, and to some extent concerned certain consequences of the repeal. Sumner had little appreciation of such obstacles, and he was impatient of the six months' delay, but in the end he saw "this atrocity" forever disappear from the statute-book, and freedom was at last the legal possession of all his brethren, black and white alike. In his speech on this measure, he said of Granville Sharp that which may well and fitly describe his own high motive: —

> "He knew well that there was no statute of limitations against principles, and better still that principles must finally prevail over precedents. Principles are immortal, and bloom with perpetual youth; precedents are mortal, and die from age, decrepitude, and decay. Against principles, precedents may for a while prevail; but the time comes when that which is mortal must yield to that which is immortal."

Unfortunately for the country, none of the great war problems were presented to us single and simple. The conquest of the South was by degrees; and through our peculiar relations to the rebellious states, we were constantly obliged to consider questions applicable in one section, but altogether premature in another; and action in one quarter was hampered

by its effect in quite a different direction. Decisions affecting the country were determined by the peculiar circumstances of a single section, and issues which concerned our whole after-history were decided by their influence on a military situation. It was even necessary to fix the status of a conquered people before the terms or time of capitulation could be foretold. To these things must be attributed some of the mistakes of wise men. When his premises are undetermined, no man can be blamed for arriving at wrong conclusions. The statesmen of 1864 were honestly of many minds as to wisdom and duty in the matter of reconstruction. The question was constantly recurring in one form or another, and came definitely before Congress in connection with Louisiana, which was so far under our nominal control that President Lincoln thought reconstruction might begin. Congress was of the same mind; and bills were introduced into both Houses, recognizing a civil government in Louisiana which should proceed under the old constitution and laws of that state, but should act under the protection of our troops. The measure met the vigorous opposition of both parties. The Republican opposition came largely from those who thought the bill too severe in its requirements, too sweeping in the authority assumed by the President or given to the military governor, and too reactionary in its return to ante-bellum pro-slavery laws. Sumner opposed it, however, because it was not sweeping enough. In his view the President had authority for this and much more, and should exercise it. Until a new government was formed, and that a government based on the equality of the black

race, he would have nothing to do with it; and oppose it he did, with language which may be termed vituperative. The phrases he had been wont to hurl in the face of the slavemaster now did new duty for the policy of the President. This was a pet project with Lincoln, and one upon which he built many hopes. The difficulty with Lincoln was his logic; more capable of an unprejudiced view than Sumner, he could not twist his law and his interpretations to suit his wishes. Thus in his theories he was the slave of his logic, but in practice he often freed himself from its bonds. He did not hesitate to dispute his theory by his action if necessary, as in fact he did in the case of Virginia a little later. Sumner, on the other hand, was above and beyond logic, and basing his action on what he believed ought to be true, he would not turn about or change that action. He "believed his dictum was a divination." This Louisiana scheme thwarted once and forever his theory of state suicide and his hope of territorial control, and he would not support it, — nay, more, he would defeat it; and he did defeat it by the somewhat puerile method of talking against time. In the last days of the session he piled his desk high with documents, and announced that he intended, by the help of liberal quotations from these books, to talk until the session expired, thus killing three great bills, — a tax, a tariff, and an appropriation bill. Perforce the Senate submitted to him, and allowed the Louisiana measure to drop. That astute observer, Samuel Bowles, a constituent and supporter of Sumner, characterized this action as unjustifiable, undignified, and disgraceful; but other men felt differently. Edward

L. Pierce, a prominent Abolitionist and always one of Sumner's keenest admirers and warmest friends, wrote him from Boston, "God bless you a thousand times for your indomitable resistance to the admission of Louisiana with her caste system! This afternoon some forty gentlemen dined at Bird's room, and all, *nemine dissentiente*, approved it, and with full praise." And others were even more congratulatory. All the world knows with what tact Lincoln managed the delicate question of their personal relations at this juncture, avoiding that personal difference so easy to create with Sumner. A week later, on the day of inauguration, Lincoln by a note in his own hand asked the Senator to escort Mrs. Lincoln to the inaugural ball, where all might see that Lincoln did not intend to govern by his own prejudices, and that he recognized Sumner as sincerely patriotic, though to his mind dogmatically mistaken. Whether we believe the President's vain attempt to apply logic to a situation which was too anomalous for any logic was the better plan, or that Sumner's drastic and extra-constitutional severity would in fact have been the wiser treatment of the problem, in this particular case the result was fortunate. Lincoln's great wisdom and tact and readiness to change one plan for a new and better one might have made a success of his attempt at resurrecting a putrid corpse, but Providence put the affairs of the South into different hands. It is certain that in the hands of Andrew Johnson this plan would have been an awful failure; and though Sumner could not foresee the event, his course unexpectedly produced a fortunate result.

CHAPTER XIX.

1865.

CLOSE OF THE WAR. — ASSASSINATION OF LINCOLN. — SUMNER AND JOHNSON.

THE second inauguration of Lincoln seemed the beginning of the end to men who did not dream of the legacy the war was to leave behind. The beautiful words with which he closed his speech to the people have become a classic, but to the listening multitude they seemed a prophecy. Few who saw that scene ever will forget it; and few who listened to the extraordinary harangue of Vice-President Johnson can forget the amazement and dismay it caused. It may be said that this also was a prophecy, or perhaps an omen, of the division Andrew Johnson was, though all unwillingly, to bring to the country. The excitement among Republicans over his appearance was extreme, and all manner of wild ideas were promulgated. Among the rest, Sumner seriously proposed to a senatorial caucus that the new Vice-President should be asked to resign, and so well informed a writer as Henry Wilson believes that this was the first and always rankling cause of the quarrel between President Johnson and the Senator; clearly, it must have had much influence. It further certifies

also to Sumner's own position as regards the man he once admired.

Before the month of March was over, our successes made it evident that the war was ending. Lincoln went down to Fortress Monroe for a visit to headquarters, and on this trip Sumner was for a part of the time his guest. A few weeks more, and Lee had been driven from Richmond, and the city was ours. What writer of melodrama could have invented effects more startling for the crisis of the great drama of the war than actually happened? — Richmond, the capital and centre of the slaveholding empire, at the end of its fearful struggle of four long years was deserted and left to its fate by the government it had upheld, pillaged and fired by its own soldiers, and saved and protected by a regiment of its conquerors, — a regiment of negro cavalry. Verily, as those men rode down the familiar streets of that city a great triumph was theirs. No prophet of old could have so emphasized the result. Two days later, the head of the nation it sought to destroy, the commander-in-chief of the armies which had conquered the Confederacy, entered its late capital on foot with only an improvised guard, and, almost unattended at first, lost or found his way through its streets, until, surrounded by a gathering crowd of the negroes he had transformed from chattels into men, he rested in the house which had been the Executive Mansion of his enemies.

Surely history records no more dramatic incidents than these. But this visit of President Lincoln to Richmond had results far more important than pic-

turesque, which became a part of the gathering influences that moulded our history. While there, persuaded by what he saw and heard and thought he discovered of willing minds on the part of some at least of the Southern leaders, he issued his confidential invitation to the members of the late Confederate Legislature of Virginia to assemble at Richmond. There is no doubt for what purpose this was done, or what he hoped, — that he desired them to withdraw the troops of Virginia from the field, and that he hoped they would officially, and according to their own views of state sovereignty, return to the Union; but there is much difference of opinion, based too upon his own differing utterances, as to why he did this. In the light of what was then the uncertain future, but is now the open book of the past, it is claimed that this was a military measure only. It was believed at the time that it was the result of Lincoln's too ready confidence in the good faith of the surrender, and grew out of his theory that the states were still in the Union, and a constituent part of it. If they were no longer in a state of war, he, as President, could no longer manage their internal affairs. When the "Committee on the Conduct of the War," — that committee which by turns helped and hindered our affairs, — when this committee, among whose party were two colleagues of Senator Sumner, reached Richmond just after Lincoln's visit, they discovered this project of the reassembling of the Legislature, and comprehending the real situation more truly than Lincoln, were justly alarmed. Their report so excited Washington and the North that Lincoln, ever

watchful not to go beyond the steps of the people, and, above all, himself already satisfied that the effort was not received in Virginia in the spirit he had expected, withdrew his permission. Sumner had frequent consultations with him over the situation, which seemed to the Senator especially alarming, and it is claimed that the result was due to him alone, but in fact his was only one of many influences which together changed the mind of Lincoln as to the expediency of the measure. This vain experiment was hardly over before the surrender at Appomattox brought the real end of the war; and five days later Abraham Lincoln was shot in Washington on the evening of Good Friday, and the very day when at Charleston, Gen. Robert J. Anderson raised again the stars and stripes over Fort Sumter amid dignified ceremonial and military rejoicing. No words ever can relate the horror of that night in Washington. Lincoln murdered and dying, Seward and half his household attacked and apparently dying also, a terrific storm of thunder and lightning hung over the city like a portent, and the black night seemed to cover a great conspiracy. Rumour speedily stirred the government and the city to believe that Grant and Stanton and Sumner were marked for death. In the case of Sumner, circumstances gave colour to the feeling. Immediately upon hearing of the assassination, he went first to the White House, and then with Robert Lincoln to the bedside of the President, where with the others he watched and waited for the end. Those two Massachusetts congressmen who had just been to Richmond were in

Washington on their journey home, and, much travel-stained, appeared at Sumner's door, where, with the familiarity of long habit, they walked directly into the boarding-house and knocked at his door. Not finding him, they made anxious inquiries of the servant and left for an equally fruitless call at the White House as the clock struck ten. Fifteen minutes later they heard the appalling news. It is hardly surprising that the late hour, their general appearance, and their somewhat unusual proceedings should have caused a story long believed all over the country, that Senator Sumner was also attacked. To Mr. Dawes and Mr. Gooch themselves, this incident of an awful night was so trifling that some time elapsed before they realized that it was the explanation of this common report. In fact, however, the visit of those two most modest and respectable gentlemen was the only attack upon Sumner; yet it was not without reason that the government stationed a guard before the door of the great anti-slavery champion, most hated of all the Northern statesmen as he was. No one could tell where those mysterious and dreadful blows would fall next, nor from whom they proceeded. It marks the extent of the distrust of Johnson that many men believed him the inspirer of the plot. One of our very foremost public men, whose opportunities for judgment were unusual, still declares that he could convince a jury of the truth of that belief. Nevertheless, time and investigation have cleared Johnson of such suspicions. The fact that they were then rife, however, was one more source of the great stream of prejudice which soon gathered so rapidly.

But at the beginning, plenty of men — the majority perhaps at first — were of quite another opinion. Senator Benjamin Wade, who at Richmond had discovered Lincoln's pacific intent, was the spokesman of this feeling. The new President took his oath of office at the Kirkwood House the morning after the assassination, in the midst of a sorrowful group of Cabinet ministers and senators; and at once such public men as were in the city gathered in a sad and gloomy fashion to greet him as now their responsible chief. Among the rest went Mr. Wade and Mr. Dawes; and Wade, on greeting the new President, said, "Mr. Johnson, I thank God that you are here. Lincoln had too much of the milk of human kindness to deal with these damned rebels. Now they will be dealt with according to their deserts," — a sentiment he seems to have repeated to Mr. Johnson in more than one form and on other occasions. Then, as to all such utterances, Johnson responded with sympathetic eagerness; but when the more conservative men addressed the new President, he was slow in reply, and especially did it seem to their sore hearts that he carefully omitted to praise the great dead. Sumner was on the whole well satisfied, for his first distrust had given way before the warmth of Mr. Johnson's utterances. On questions of policy he believed himself now, as at the time of the Baltimore convention, in full sympathy with the new President, who constantly assured him of their entire agreement; and he rejoiced that our distracted affairs were to be administered by this policy, which commended itself to him as far above that

of Lincoln in wisdom. Indeed, on one occasion, such was the strength of Johnson's assurance that he should assert his power for upholding equal rights, that the Senator afterward declared in a public speech, "As I walked away that evening, the battle of my life seemed ended, while the Republic rose before me, refulgent in the blaze of assured freedom, an example to the nations."

The pageant of Lincoln's funeral closed the war chapter for the North, and for the South the ignominious capture of Jefferson Davis furnished the historian with one more spectacular contrast. The war was over, but no man realized the problem left for us to solve. The contest was something more than begun indeed, but it was by no means ended. A new stage was reached, — that was all; but the end, — who shall yet prophesy when or how the day shall come that will lift the burden which we must bear in the yoke with our black brethren, the burden which it was the grand purpose of Charles Sumner's life to remove?

CHAPTER XX.

PERSONAL, SOCIAL, AND INTELLECTUAL CHARACTERISTICS.

If it be asked what was Charles Sumner's personal career during this period of public storm and stress, it may be answered that statesmen of that time had no private careers, — their whole lives were given to their country; or with equal truth it may be said that it was the heyday of his social success, for never since he entered the Senate had he occupied so commanding a position in this respect. At fifty he was in the very prime of his splendid manhood; six feet and three inches in height, and weighing two hundred and twenty pounds, he was of massive proportions. No one has described him in any words that give a just impression of his commanding figure, his stately presence, the magnificent head, the effect which no enumeration of particulars can in any way reproduce. One who knew every Congress since the day of Franklin Pierce declared that, taken altogether, he was the finest specimen of a man seen there since Daniel Webster. The youngest daughter of Chief-Justice Chase, Mrs. Janet Hoyt, has lately given to the world her impressions as she saw him day by day in the most familiar fashion, — impressions in which childish memories and mature reflec-

tion have blended into what may be called a portrait. Says Mrs. Hoyt, —

"Mr. Sumner was a frequent visitor in the early days of the war, and had a way of strolling in to breakfast, and remaining for ten or fifteen minutes' chat afterward, before my father left for the Treasury Department. His large, English-looking figure and light tweed clothes were in strong contrast to the conventional black frock-coat commonly worn by the public men of the day, as was also his easy, careless way of lounging over the sofa, as he talked, to Mr. Chase's erect and dignified attitude. He was very handsome, as I remember him. A description in an English book of travel gives a very clear idea of his personal appearance. He is mentioned as 'that great, sturdy, English-looking man, with the broad massive forehead, over which the rich mass of nut-brown hair, plentifully streaked with gray, hangs loosely, with the deep blue eyes, and strangely winning smile, — half bright, half full of sadness. Sitting in his place in the Senate, leaning back in his chair, with his head stooping slightly over the big broad chest, and his hands resting upon his crossed legs, he looks, in dress, attitude, and air, the very model of an English country gentleman.'

"This is exactly as I remember him, attitude and all, as he used to sit on the sofa in our drawing-room, talking over this, that, and the other with my father. In those days, the 'man-of-the-world' air was not common among our representative men. Dignified they almost unvariably were, and with a sense of fitness that seemed to rise to any emergency; but the ease of manner and grace that comes only by contact with the world at large were not often seen. This subtle quality in Mr. Sumner made him rather different from the men I generally saw, and I recognized its charm without knowing the cause; but despite his being a statesman, a philanthropist, and a mondain, he was in some things so transparently simple

that a chit might read him. On one occasion he came in hot haste, full of the removal of some petty official in Boston, whose appointment he had recommended. He was very earnest; and his deep, melodious voice had a ring of indignation as he said with emphasis, 'The country will be on my side, — the whole country!' 'I do not think the country will care much, Sumner,' said Mr. Chase, quietly, with ever so slight a smile. Mr. Sumner quickly looked up, with the questioning glance of a big schoolboy, 'Now, don't you think so?' he said with great simplicity, quite unmindful of the gentle sarcasm. 'Now, you are wrong; the country will be with me, and will support me.' Another day he told us of travelling somewhere in Switzerland, and, at some little auberge, reading in the travellers' book the names of many English grandees, — 'all with titles,' he said; 'and,' added Mr. Sumner, with visible delight, and not a little impressiveness, 'I knew every one of them!' But his very simplicity in these things was charming; it was so *naïf*, and in so great a man rather added to his attractions. . . . He had an amused, comprehensive sort of surprised look when anything struck him as funny, which I greatly dreaded to provoke.

"On one occasion, on expressing an unasked-for opinion, in what I fear was a very spoiled-child fashion, he turned on me suddenly with his blue eyes wide open and full of laughter, and with simply a great 'why' in his deep, rolling voice. 'Merely this, and nothing more;' but the sudden interrogation routed me completely, and caused immediate flight; and for some time afterward he never met me without beginning with the same provoking look in his eyes, and calling out to me with his deep voice, 'Well, my little logician, come, and give me your advice!'"

Who that knew Sumner but will recognize this picture, — the splendid presence, the transparent

vanity, the combined simplicity and culture, all mixed in a unique personality? An instance of one of these qualities was his pride in his white and very shapely hands; he would often sit in the Senate and look at them, or wear gloves throughout the session for their protection. This was as noticeable as the bunch of keys Senator Schurz was always twirling; and one of the best-known society correspondents of the day, Mary Clemmer Ames, often spoke of other things as being "white as Sumner's hands." With some point this same observer declared that without his great physical force and thunderous tones, his oratory would have lost much of its effect. Standing in characteristic attitude, with left hand upon his hip, and with his right gesticulating or toying with an eye-glass, he would throw back his head in such fashion as literally to shake his heavy locks as he grew earnest in debate. He had not much humour, and wit was in a great measure an unknown tongue to him. Dana once said, "Poor Sumner, he can't take a joke of any kind; he is as literal as a Scotch guideboard." Yet he would often enjoy the amusing as well as the serious, and his hearty laugh still rings in the ear of more than one of his companions.

It was partly his massive physique which gave Charles Sumner his great personal dignity, but it was still more the natural consequence and the expression of the moral dignity of his character. So great to him were moral issues, so serious a thing was life, that all his bearing showed this faith. It is almost an impertinence to say that his personal character was beyond reproach. No man ever accused him — in

any heat of passion — of venality of any kind; his most scurrilous detractors never questioned his honesty or his purity; even his faults were the defects of his qualities, of that subtler sort which belong to great natures, and are born of high ambitions. Ingrained in his nature was the deepest reverence for all things divine, and to him not the least divine was man. It may be said that his lack of humour removed all temptation to irreverence, but his reverence was deeper seated than this. It came from that service of truth, that determination for duty, that faith in God, so prominent in all the years that he lived among men; for his moral ideals and his eager devotion to righteousness were born of the highest sources. His religion was no less real because it was that of prophet or seer rather than evangelist.

The social side of life always filled a large place in Sumner's estimate of his surroundings. He cared nothing for gayety in his later years, but his friends were necessary to him, and he did not count life complete without much of that social interchange of congenial minds which he so justly valued. It has been truly said that he "looked upon society as the best means of forming the character and employing the faculties of men." His summers were spent here and there. While Albert Sumner lived, he was much in New York or Newport when Congress was not in session; but death had already swept away that circle, and his brief vacations were largely given to Nahant and the Longfellows, or to the Furness family in the Pennsylvania mountains. Sometimes he remained in Boston for weeks, but most often, during the war,

duty kept him in Washington the greater part of the year.

During the war period he was still living in bachelor lodgings, — a brilliant and famous man much sought by the great world, and thoroughly enjoying its homage. To the general public he was probably, as to Governor Rice of Massachusetts, who was for some time his associate in Congress, "a stately personage who commanded respect and admiration, but not a man who particularly called out sympathies or stirred affections;" but those who properly could call themselves his friends thought differently. To them he was peculiarly a lovable man. But already he gathered around him two circles, — those who were congenial or whom he admired, and those others who admired him. To the latter he was equally confidential — in some respects more so — than to the former, relating to the circle at his feet all his daily doings, and listening well satisfied for their approval. Both groups found him most companionable; the Sumner they knew wore different aspects, but to each in its own way he was a choice and unusual friend.

Among his frequent companions were always to be found one or more of the diplomatic corps, — those rare treasures, the few cultivated men sent to exile in America. The names of Baron Gerolt, of Sir Frederick Bruce, of Lord Lyons, of Schleiden and Bertinati come readily to mind, but as many more were counted by Sumner among those who were worth the seeking. While much in society of this quiet but brilliant kind, he was not to be found in every house. One who knew him well declares that it was his habit to accept all

invitations immediately, but rarely to present himself among the guests! The larger and grander houses of the brilliant society which reigned in Washington during the war saw him more or less often, but in certain places his presence was a foregone conclusion. He might be found in the drawing-room of that *grande dame* of the past generation, Mrs. Ogle Tayloe; and always after her appearance at the capital he was part of the intimate circle round the *grande dame* of his own time, Mrs. Charles Francis Adams; and he was rarely absent from the public or more private festivities of his dear friend, Senator Edwin D. Morgan. Two other notable but hardly fashionable houses saw him constantly and without ceremony. He was one of that distinguished and somewhat Bohemian group which gathered about Count Gurowski in the parlours of Mrs. Eames; and he was still more at home than anywhere else in the parlour of the beautiful anti-slavery pioneer of Washington, Mrs. Johnson, who kept up the modest *salon* he had known so long.

He was never in any sense a ladies' man, and yet always fond of the society of brilliant women. It was said of him while a young lawyer that he was less at ease with women than with men, and understood them less; but in later years he much enjoyed their friendship. It is true, however, that these friendships were largely confined to those women who, like himself, were not so much idealists as ideal moralists, and to those who were greatly receptive. The suggestive quality of a woman's mind meant little to him. He had something of the feminine himself in many traits,

— such as the diversity of his interests, his wide rather than deep knowledge, his dependence on personal connection to first bring about interest in public affairs, and his profound enthusiasm and devotion to principle; yet taking him altogether, he was too essentially virile to understand or much care for the average woman. But when by reason of her earnestness or her brilliancy she stood out beyond her fellows, he fully enjoyed her society. Nor was he altogether proof against great beauty. To those women he cared for, he was fond of showing little courtesies which seemed to mean so much from a man of his weighty and serious manner. The wife of an old friend, spending a fortnight in Washington, received from him daily bouquets and drives, and devoted attention to her slightest wish. For these drives he regularly prepared topics of conversation, discoursing of things interesting to his companion in great detail. Once it was a long and particular description of a dinner with Thiers, and again an equally circumstantial account of a visit to the Duke of Argyll. He enjoyed the visits and calls of those women he knew intimately, and they found him "most delightfully good company," indulging now and then, like other mortals, in something very like gossip of a friendly sort. He was sure to remember the illness of his friends, and pay them those trifling attentions so valuable to weakness. Although children were somewhat in awe of him, a little farther on in life they found him a ready listener and an eager helper. A young girl whom he knew well used often to meet him in the horse-cars, and always

improved the opportunity of talking with him of her reading. He never seemed too busy or too much occupied to answer her questions, and often he would send her articles relating to their conversations. He occupied a part of one of the last Sundays he spent in Boston in carefully showing engravings to the granddaughter of one of his old professors, and her chief remembrance of the famous statesman is his "sweet and gentle manner." In like fashion, he entertained two girls from his own state through the whole morning, still unforgotten, three days before his death, showing them the treasures of his house, and with careful and detailed description giving of his great knowledge for their pleasure and learning.

It became his custom to read his carefully prepared speeches, — though in truth it should be said that he delivered his orations in that manner, for there was nothing of the colloquial in those arguments. He felt, he said, that "a seat here in the Senate is a lofty pulpit with a mighty sounding-board, and the whole widespread people is the congregation," and justice to his audience and his subject required careful and serious consideration of the topic. To this end he would prepare for such speeches by nights of work. It was his regular habit to work till one or two o'clock in the morning, — frequently continuing till daylight, — going through great piles of books, "tearing out the heart" of them with incredible rapidity, and leaving them full of the marks his secretary was to use in making notes and extracts. No labour was too great to determine a point or verify a quotation; even the choice of a word

would sometimes occupy an hour's time in searching for what he called its "adjudicated meaning." With this nice choice of words went another gift for their unusual and striking use. Singular as it seems, Sumner had a great gift as a maker of phrases; his epithets became a part of the common speech, his phrases were watchwords, the titles of his speeches arguments. Thus in a manner which in other men would have been laborious, but which his extraordinary power of assimilation and digestion made a light and pleasant task, he prepared the speeches that invariably followed the same fashion as did his early orations. He first built up an elaborate framework; then taking his framework article by article, he expanded and elaborated it with every device of explanation, quotation, and illustration; then summed up the whole, added philosophical reflections, and brought the question to the test of the law of eternal righteousness. As a rule, his speeches in the Senate were four hours long, but though rarely less, they frequently exceeded that limit. Even his obituary orations gave all the facts in due order, and then deduced therefrom certain philosophical observations. Having little imagination, he never appreciated the power of suggestion, and was constantly guilty of the rhetorical sin of explaining his allusions, translating his quotations, — even sometimes giving a biography of the men to whom he referred. Of that graceful use of learning which adopts words and phrases, and indirectly recalls to the reader well-known classics, he knew little, — partly from the directness of his mental temperament, in which, as has been said, imagination

played little part, and partly through the self-absorption, as marked in his intellectual temperament as elsewhere, which caused him to forget the attainments of other men. Nor had he anything of the dramatic instinct which gives the sense of proportion. He would spend pages upon illustrations, references of but slight connection, or contemporary history. Thus, at a little later date, a speech arraigning President Grant for what Sumner deemed a criminal nepotism opened with an account in much detail of the degrees of nepotism practised by nineteen of the popes! The profusion of historical detail was originally due to a settled conviction of great value. A recent German writer has said of Bismarck: —

"Above all, Bismarck devoted himself to the study of history. As the result of his own great experience, he subsequently declared it to be his opinion that a properly directed study of history was the essential foundation of all statesmanship. History alone, he said, could teach us how much could be attained in negotiation with foreign powers, and the highest problem of diplomacy consisted in the capacity to recognize these limits."

It was with this conception of statesmanship as a science standing on the past with face toward the future, that Sumner believed in the value of even the slightest indication of the wisdom taught by experience. It was but the peculiarity of his mental temperament that caused his too great use of his learning which had become to him an every-day possession.

If the nature and extent of a man's learning may be discovered by his range of illustration, what shall

be said of Sumner's attainments? His speeches were so crowded with historical and classical and literary allusion that they were fit to serve as the basis of an education, in like fashion as schoolmistresses have been wont to do with the writings of John Milton. In fact, they did so serve for one girl, — the daughter of a distinguished scientific man in Washington. Accustomed to meet Senator Sumner in that pleasant friendliness which he showed to those he cared for, she conceived for him the admiration of hero-worship. A delicate girl, much interrupted in regular studies, she made it a habit to hear all his speeches and read all his addresses, afterward following out every reference to literature and history; and notwithstanding the fact that these were speeches which dealt with the conduct of a great war, with political issues, and the problem of slavery, they proved so full of scholarship that after years have shown this cultivated woman but few gaps in the education based upon them.

The question of whether Sumner was a scholar as well as an orator always has been and probably will continue to be much mooted. The answer must depend largely upon the definition of the word. His learning was certainly wide. Whether his guest was a botanist with whom he talked of trees, a photographer who discussed with him the latest discoveries in the mechanism of that science, a learned professor who heard from his lips the last continental deliverance on international law, he was always at home. He proved equally interested and interesting when by chance he fell upon a club of gentlemen

farmers met to discuss the breed of cattle, or in an elaborate discourse to a lady of fashion upon the famous laces of Europe. In the realm of letters and of learning he was as much at home as in affairs. All books yielded their treasure to him, and it may be said without exaggeration that he knew something of every one. Reading everything, light literature as well as that of value, his mind rejected what was trivial, and stored up knowledge beyond any power of estimation. He had a passion for thorough work, and yet he was constantly and curiously inaccurate in much of his work, especially in his quotations. Certainly he was a student, but certainly he did not care so much for knowledge as an end in itself as for the use he could make of it. If only he is a scholar who confines his knowledge to one point, and knows that in the whole complete round of its connection, then we cannot call this man a scholar; but if one may know many things thoroughly and completely, then this man also was of the brotherhood of learning. If to be a scholar one must assimilate knowledge and perceive its relations, Sumner could not claim the title. If that man is a scholar who gathers to himself and keeps at command all facts and all knowledge, then we cannot deny him that distinction also. At least, we must allow that few statesmen have been such scholars, and few scholars have been such statesmen.

That he was an orator, no man disputes; but in all respects he differed more than he resembled the other eloquent orator whom he often was said to copy. If he seemed occasionally to model his work after Burke, it was an unconscious imitation, and — some-

times for better, sometimes for worse — the result was widely apart from the work of the great Englishman. It is certain that Sumner admired Burke and studied him, but except in his early days, when he may be said to have passed through a Burke period, they never stood as teacher and pupil; rather, they were like-minded companions. But in the end analysis and comparison fail; there remains only the unexplained statement that Sumner possessed in unusual measure the great gift of the orator, — a genius which no critical *post-mortem* can discover. His was always the moral point of view, the high and lofty ideal; and this great aim he delivered unto men in stateliest phrase, and with all the glory of learning and all the grace of culture. Men listened, and forgot there could be too great wisdom, and forgave too much of beauty.

CHAPTER XXI.

1865, 1866.

RECONSTRUCTION. — SUMNER AND PRESIDENT JOHNSON. — THE FOURTEENTH AMENDMENT.

THE reconstruction period — or that beginning of reconstruction which is popularly designated thus — was a time of inextricable confusion. Lincoln's belief that peace had come was far enough from the fact. It would be impossible in anything less than an elaborate and detailed history accurately to recount the various steps of the process, and rarely possible to divide them one from the other, much less to discover their true causes or measure their results. All that can be done in a brief sketch is to give such a general survey — sometimes with small regard to chronological sequence — as will serve to explain the attitude of the men who performed the task. During the summer after Lincoln's death, history made itself much too rapidly for any of the actors. President Johnson, hardly realizing the duties of his position, and somewhat unduly impressed with its powers, settled many things in those few months for the country, for the party to which he belonged and that to which he was gravitating, for his own career. He settled a policy to which the more

mistaken it proved the more vigorously he clung; he "set" the two parties in an irrevocable position, as a mordant sets colours; he determined personal relations which ended in impeachment and brought about disgrace, and afterward doubtless his death.

By some mysterious change, never satisfactorily explained, in three short months the fierce hater of the South had become its ally and friend; he who had cried for vengeance had granted complete amnesty; and the man who was expected to give the rebels their deserts had turned the Southern problem over to them for settlement. In May the President issued two proclamations, — one of general amnesty, and one re-establishing the government of North Carolina according to its ante-bellum laws in all particulars; and before July every Southern state was in the process of rehabilitation along its old ways. This went on through the summer, until each of the states lately in rebellion put in operation a white man's government, and, upheld by the President, enacted laws which carefully restored everything they had lost in battle. Nominally they could not bring back slavery; but by legal forms they created a new bondage for the black man worse than his first estate; for, suffering as many pains and penalties as of old, he was deprived of the care which personal interest insured him in the day when he was only property.

The South did not disguise its triumph, nor the North its consternation. Just what produced this sudden and surprising change in Andrew Johnson never can be told. Blaine, whose luminous account gives a clearer idea of this confused period than any

other yet written, attributes it chiefly to the influence of Seward, who, when rebellion was conquered and slavery gone, returned to his old supreme desire for national unity, his old love for the "Union." But other things entered in. Doubtless the influence of what was the only indication of Lincoln's policy, his futile experiments in Louisiana and Virginia, was strong upon the new administration. Moreover, those who selected Johnson as an exponent of the border-state war democracy did not take into consideration his personal views; they forgot that he always cared less for the slave than for the Union, and did not remember that although he firmly opposed state sovereignty, he held extreme views of state rights. Other and less statesmanlike influences helped him to see matters in a new light. It was a sweeter and sharper revenge than death that the aristocratic rebel leaders should sue for pardon at his hand, — the hand of a despised tailor, almost if not quite "white trash." It was a supreme ambition for one whose career had been of his own making, to re-create a new South. It was a blow in the face of the Congress which had already differed from him, to do it by executive order; it was especially a blow to those senators who had impudently called him to account for a misfortune which still mortified him beyond endurance, and whose friends had so unjustly accused him of complicity in the assassination. These and other motives, personal and public, moved upon him; and once started in a course of his own, a man of his real power and peculiar obstinacy was sure to go further and faster, the more he was opposed. He was not, like Lincoln, great enough to see and own a mistake;

he could not distinguish between a war policy and one of peace as to the power of the executive; and he was conspicuously lacking in that tact which served Lincoln in so many difficulties, but substituted for it a most exasperating obstinacy. To understand the situation when Congress came together and its subsequent action, it is necessary to remember what manner of man he was, and on what ground he acted.

The position he took was that of Seward, — that reconstruction could and must be accomplished altogether by executive action; and under that authority he set on foot the new governments whose Legislatures were busily occupied in securing the victories their troops had lost. This was a power Congress had sharply refused to Lincoln. That body was not likely to permit its seizure by Johnson, especially in the face of the use he had already made of it and the results already apparent. Congress took the position that reconstruction was entirely and altogether in its own hands, — a position the Republican majority now felt it necessary to assume, whatever they might wish, in order to save their country. For unless Congress could do something to remedy the existing state of things, the country had lost all that was gained by the war, and was exactly where it was in 1861, except that the burdens of slavery were gone and its advantages retained. The defeated South, by a sudden and unexpected turn, was again in its old power, really and in fact the conqueror and not the conquered. There is no parallel case in history. It does not seem to have occurred to the Emperor William immediately after the capitulation of Paris, to ask Alsace and Lorraine to dictate the policy of Germany.

In the extraordinary situation of affairs Congress took the extraordinary course of entirely ignoring the executive action during the summer. This was the easier because the President's action had been nominally tentative; and upon the theory that it was without authority and therefore null and void, Congress took the reconstruction question entirely into its own hands. The House, by a most unusual and pronounced parliamentary procedure, announced its disregard of the President's action, and deliberately shut its doors in the face of the new Southern congressmen thronging Washington, — men who six months before were fighting the very government of which they now sought to be a part. The Senate was more insulting still, in absolutely ignoring the President and all his ways. On the very first day of the session, Sumner introduced a series of ten measures, covering nearly the whole ground of reconstruction and civil rights; and as if nothing had been done in that direction, both Houses appointed a committee to consider and direct the whole matter. Under the guidance of this committee, from time to time, a half-dozen laws were passed, vetoed, and promptly passed again over the veto. A rapid glance at these measures explains the nature of the difference between the President and Congress. The first open breach came over the Civil Rights bill, giving the negro the rights of a citizen except the ballot. It was followed by the Fourteenth Amendment, guaranteeing those rights, which the President could not veto, but he formally disapproved it. The next important bill passed over the veto, extended the life and power

of the Freedman's Bureau for the better protection of the negro. Another provided a system of temporary military governments for the states lately in rebellion (on the theory that no governments existed there); and still more radical measures took away the power of the President over the militia in those states, and limited his power to grant amnesty. Most radical of all was the Tenure of Office bill. The Congress which met March 4, 1867, its predecessor having provided that there should be no interregnum, held three sessions during the summer, but it passed no new measures of importance. At its regular session in December, however, it inherited the remarkable result of the Tenure of Office act in the controversy over Stanton which finally issued in the impeachment.

In all this series of events so rapidly summarized, but occupying more than two years, Sumner took a prominent part; but he was not always found where he was expected. His first series of resolutions, offered in December, 1865, was based on his old ground of state suicide and complete power in Congress over the resulting territories. Stung to the quick by the Southern treatment of the negro, he affirmed and upheld the manhood right of the black man and his equality, and took high ground on the duty of repentant rebels to show their good faith honestly by works meet for repentance. In form these resolutions were largely impracticable, some thought absurdly so, but their principles were the principles of patriotism and liberty, for which Sumner always contended. These principles he had constant opportunity to put forth in the years which followed.

In many respects it was necessary to go back to the past and repeat arguments men hoped the war had rendered obsolete. To those familiar with the dilatory habits of Congress, it shows the anxiety and earnestness of the time that great debates came on before the holiday recess. Early in December, 1865, Sumner, urged to a white heat of eloquence by the warmth of his feeling, made a great speech on the Freedman's Bureau bill. He quoted liberally from every source, public and private, to show the real condition of the South, and told plain truths as to its treatment of the negro. It was in this speech that he described President Johnson's message on the condition of the South by his well-known phrase, as a "whitewashing" message. It may be surmised that since this message was based on a rose-coloured report by General Grant, that officer did not forget the contemptuous epithet in later days. Sumner based his own belief on the quite different report of Gen. Carl Schurz; and thus began a friendship with Schurz which counted for more than any other the rest of his life. Sumner's name appears constantly during the debate over these great questions, — over in fact the one great question into which they speedily were resolved, whether the President should place the South again in the hands of the rebels, and allow them to work their will upon the negro, or whether Congress should control reconstruction and insist on equal rights. Sumner's was no doubtful voice. "Not doubting," as he says in his grand way, in the preface to a speech delivered at this time, — "not doubting the plenary powers of Congress to

provide for the equal rights of all, political as well as civil," he strove with all his might to bring the whole subject under that power. Although the progress of affairs somewhat changed the occasion of one bill after another, there was very little change in the real situation, and indeed very little progress. It was rather a revolution of affairs round a single point, and such a fruitless revolution as occurs when some cog is wanting in the wheel and the machinery works only occasionally, or such crashing as comes from obstructions in the machine itself.

This conflict between the legislative and the executive, growing out of opposing theories as to how much power should return to the states themselves, was an important factor in a change of the whole attitude of our government, — a change that, whether for good or evil, is still going on. Its nature is well summarized by Blaine in these words: —

"Previous to the civil conflict every power was withheld from the National government which could by any possibility be exercised by the State government. Another theory and another practice was now to prevail; for it had been demonstrated to the thoughtful statesmen who then controlled the government, that everything which may be done by either Nation or State, may be better and more securely done by the Nation."

With this change of view Sumner was in hearty accord; but clearer-sighted than some of his associates, and more deeply read in history than any of them, he saw that it meant destruction to democratic government if this central power was altogether the power of the executive. By that road come kingdoms, startling

as the idea may be; and while he believed more and more firmly that power and its correlative responsibility belonged to the nation, he also believed that the nation was its representatives in Congress assembled, and that only thus could a government of the people be also a government by the people.

In this particular application of his political philosophy, he believed that the people of the North wanted the negro free, and he believed rightly; and it was fast proving itself true that the black man could be really free only under the protection of Congress. The progress of time, however, showed that while Sumner was right in this belief, he was blinded as to the real Northern feeling; it did indeed want the negro "free," but it did not want him "equal." To Sumner and those with whom he had so long worked, freedom meant equality. A quotation from Thomas Hughes, which Sumner afterward used as a motto to his speech on the Fourteenth Amendment, expresses his position: "Democracy in his mouth always meant that every man should have a share in the government of his country." He fondly believed that this was the opinion of all anti-slavery men; but the truth was quite otherwise. Although a certain momentum gathered from the war, and the necessity for consistency, produced laws and even constitutional amendments, establishing the legal equality of the black man, the North has shown itself more and more willing to acquiesce in the Southern view, that real equality, civil as well as political, is undesirable. Before Sumner died, he himself saw the development of this feeling, and more than

presaged the conditions which would come from it. But in the Reconstruction days patriotism was hot, and business interests were only just beginning to assert themselves.

Business interests were a factor, however, in one result of the contest between the President and Congress, — the reinstatement of party lines. The fusion of patriotic men of all parties under the Republican lead during the war left the Democratic ranks for the time being almost entirely to the Southern sympathizers. These men, when peace arrived, saw a new opportunity in joining with the re-enfranchised South, and hoped, not without reason, for a return by this road to their old numerical supremacy. The contest between the President and an ultra-radical Congress gave great and unexpected help to their cause. The nominal occasion for it being a question of state rights, many old Democrats of conservative tendencies were also naturally drawn back into their original position. As the issue became more and more a party question, Johnson, disappointed that he could not, as he hoped, divide the Republicans, and driven back by them at every point, took refuge with the Democrats, as did many other cautious Republicans and old-fashioned war Democrats. This again reacted; and between distrust of the President, concern for the results of the war, a political theory, regard for the negro, and party feeling, Republicans were united still more closely and became more radical, and Sumner was one of their most prominent leaders.

Not that he was always in sympathy with his party. His course on the Fourteenth Amendment was a

great surprise. This amendment, which gathered up the main desires of Congress and the country, provides for a new definition of citizenship, making it include "all persons born or naturalized in the United States or subject to the jurisdiction thereof," and forbids any state to deprive such citizens of their legal rights; makes a new and equal basis of representation, doing away with the three-fifths basis; and expressly declares that if any state shall deny a man's right to vote, it shall not be allowed to count him in its basis of representation; provides that no rebel officer may become a member of Congress until his disabilities are removed by Congress; and in one and the same section declares the validity of the United States debt, and repudiates the Confederate debt. This amendment took on various forms from time to time. The first bill was lost by four or five votes, among which was that of Sumner; but it was immediately taken up again in a different shape, and in June, 1866, finally passed as we now have it. In its first form the amendment was particularly obnoxious to Mr. Sumner, who, besides his participation in the general debate, made three set and formal speeches upon it, — the first filling more than forty columns of the "Congressional Globe," and occupying two days in the delivery. His position was that familiar to his readers, — that the Constitution already included all possible rights to all persons, but such an amendment would make the fatal implication that it was necessary. Moreover, he held that to forbid any state to disfranchise the negro implied such a constitutional right, which he would not allow. His own explana-

tion of his position, a little later, in a newspaper letter, was somewhat vague: —

"My objection to the proposed amendment to the Constitution was twofold: first, that it carried into the Constitution, by express words, the idea of inequality of rights, which in my opinion would be a defilement of the text; and secondly, that it lent the sanction of the Constitution to a wholesale disfranchisement on account of race or colour. Thus far nothing of the kind had been allowed to find place in its text."

He went on to say that these were definitely objectionable features. Half a loaf might be better than no bread; but this was not half a loaf, but a poisoned loaf. Feeling as he did, therefore, he opposed it mightily. The magnificent oration with which he opened the debate was truly enough a great speech, even if it was not what it was more than once denominated, "the greatest speech of his life." Feeling more than he would acknowledge the sharp criticism called out by his defection, Sumner doubtless particularly enjoyed collecting and preserving the commendatory notices of the press and private letters, from which he selected thirty pages of extracts as an appendix to this speech in his works. Men compared it to Curran and Brougham, called it the "New Testament of the nineteenth century," declared it second in importance only to the Emancipation Proclamation, and all ordinary words failed them with which to distinguish it. President Johnson took occasion to give his views in a public speech wherein he joined the names of Davis, Toombs, and Slidell

with those of Thaddeus Stevens, Wendell Phillips, and Sumner, as equal enemies of their country, and in his excitement charged them with desiring his own assassination. The reply to this last attack came from the Legislature of Massachusetts, which, by formal resolution, sharply called the President to account for his attack on its senator, Charles Sumner. It was perhaps a still more remarkable tribute, when we remember its temper in 1850 or in 1862, that the city of Boston should have taken a similar action.

The second speech, in the first week of February, was another great effort, well described as "an exhaustive and masterly essay, unfolding and illustrating the doctrine of human rights." He declared the powers of Congress to be ample to the task proposed for four reasons, — the necessities of the case when states had "lapsed" into territories through treason; the rights of war still supreme until fit constitutional guarantees had been given; the duty imposed by the constitutional guaranty of a "republican form" of government, with a long and elaborate exposition from foreign sources and our own history of the meaning of that phrase; and the extra-sufficient Thirteenth Amendment, which he declared at length more than covered the ground. He placed the "necessity" of the case alike on the practical ground of humanity and of national existence, and on the highest moral grounds of right and justice. He laid the "duty" on the shoulders of Congress in burning sentences and in sober exposition; and in elaborate citations from our own fathers and from the philosophers, he showed his own belief in the French

school, and leaned over to the great principle that liberty implies equality of rights. He went on to show by the help of figures how far from any definition of republican were the existing governments of the Southern states; and he declared that these governments existed only in defiance of the national Constitution, and it was therefore the duty of Congress to interfere; and he expounded the Thirteenth Amendment in glowing words as more than sufficient for all these needs. "To establish the equal rights of all," said he, "no further amendment is needed. The actual text is exuberant;" and in eloquent words he pleaded for the ballot as the great weapon, the great guaranty, — "being in itself peacemaker, reconciler, schoolmaster, and protector." In the name of reason and gratitude, for the sake of the greatness and glory of the Republic, in the name of humanity itself and liberty, by the promise and the dread of the just laws of an Almighty God, he asserted human rights and pleaded for equality. The speech was less ornate than most of such efforts on his part; it was thereby the more eloquent. It was also free from the vindictive passages which sometimes marred the effect of his words, and from the more personal allusions. It was all that Sumner's speeches were wont to be and more, — it was noble, solemn, grand. After a score of years the reader yields a willing assent to the extravagant words of a contemporary newspaper which said of it: —

"It is the most powerful oration of his life, the crowning glory of his scholarship and statesmanship. Never yet has any American statesman swept so wide

a range of learning, so complete a circle of public law, history, philosophy, and jurisprudence in support of so noble a principle as the one underlying Republican government."

It was little wonder that the packed galleries, and the floor of the Senate crowded with congressmen, listened with rapt and eager attention, and broke out into uncontrollable applause as he finished. But great oration as it was, its immediate purpose was to support an impossible constitutional interpretation, and to defeat a measure for which in substance, though differently phrased, Sumner himself afterward voted. Its more indirect purpose, that of a great plea to Congress and the country for negro enfranchisement, was accomplished.

CHAPTER XXII.

1866–1868.

RECONSTRUCTION. — GENERAL LEGISLATION. — ALASKA. — FAMILY CHANGES. — SUMNER'S MARRIAGE.

RECONSTRUCTION was constantly before the public in those years, and the contest with the President took every possible form. Charles Sumner's voice was never silent when the actual freedom of the black man was in question, or the great cause of equal rights hung in the balance. It has been said that he spoke three times against the Fourteenth Amendment. He spoke no less than six times within two months against the admission of the new state of Colorado, which offered a constitution containing the obnoxious colour qualification, — "every white male citizen" of suitable age, etc., was to be allowed to vote in Colorado; so little was the logic of the war appreciated. Shortly after, that territory of Nebraska for whose sake the Kansas-Nebraska struggle was first undertaken also proposed a constitution denying the suffrage to the black man, in whose behalf she had begun the long agony of the war. In this she only followed the example of Kansas, the very battlefield itself; while the Republicans of Connecticut, Wisconsin, and Minnesota decided the same question against the

negro as late as 1865, showing how few of the anti-slavery men meant even political equality when they spoke of freedom.

Even so fierce an Abolitionist as Ben. Wade had at last become converted to some measure of state rights, it appeared, for it was under his auspices that Nebraska sought admission with the colour qualification. But no political considerations could move Sumner when the great principle of equality was attacked, and he was in no doubt as to the definition of freedom in America. In the end his persistent opposition was justified by the admission of both states with equal suffrage for black and white alike, though Colorado waited ten years until a day long after Sumner's death, to regain the lost opportunity. The experiment of negro suffrage was tried, however, in the District of Columbia, — a measure in which Sumner took great and deserved satisfaction, and which was, as he declared in the Senate, of "infinite value" as an example to the whole country.

It is impossible to follow in detail all the numberless measures for the reconstruction of the nation which absorbed Sumner's time and attention, and that of his associates; but among them were three of great importance, already alluded to, — the repeal of the Amnesty act, the Reconstruction law, and the Tenure of Office act. Sumner believed in the whole of them with all his heart. The occasion for their passage explains their character. The amnesty power had been misused so shamefully that these pardons were openly sold in the streets of Washington, — an abuse for which President Johnson was in no way responsible,

but which necessitated the repeal of the act. But a difference of opinion as to the interpretation of the repealing bill enabled the President, in his temper of opposition, to go on pardoning as before. The Reconstruction law grew out of the general situation, the legislative action of the South, its freshly disturbed condition, and the political relations of the whole country. Only the great presidential contests ever created so much interest as the congressional elections of 1866, — for those votes would determine the question on which side of the contest at Washington the country stood. The Southern states not only made laws which practically re-enslaved the negro, but at this time they began an organized system to terrorize him with the Kuklux Klan. This secret order embraced all the best blood of the old slaveholding caste, and during full five years held the loyal men of the South, black and white alike, in absolute terror. Murders beyond counting, — one thousand and one in Louisiana alone, — whippings and outrages of every kind running into the tens of thousands, were acknowledged in sworn testimony of undoubted though not uncontradicted truth. These outrages were in their green tree when there occurred the fearful and bloody New Orleans riot, following the attempt to establish a free government in Louisiana. In such harsh ways the eyes of the North were opened.

President Johnson's Western tours added a comic element, and four national conventions added political enthusiasm to the excitement. All these varying reasons contributed each in its own measure to the importance of the crisis. The situation in the South

convinced all beholders that it was again a question between rebellion and loyalty, and the Fourteenth Amendment was made the shibboleth of decision. The significant result of the election was a majority of three hundred and ninety thousand against the President in the North, and his equally overwhelming support in the South. Says one who knew well the whole situation: —

"The unhappy indication of the whole result was that President Johnson's policy had inspired the South with a determination not to submit to the legitimate results of the war, but to make a new fight, and, if possible, regain at the ballot-box the power they had lost by war," —

a determination, it may be said, which was then and for twenty years afterward constantly affirmed in Washington in private conversation, and frequently heard in public utterances. Pursuing this policy, the ten Southern states who were then applying for representation at Washington, one after another, scornfully rejected the Fourteenth Amendment. The significance of this action lay in the fact that to accept this amendment was the condition of their admission to Congress. They had but to vote for that amendment, and so accept the result of the war, — not including negro suffrage, it must be remembered, — and thereby they became entitled to representation in Congress and full establishment in political place and power. But President Johnson, by public acts and by much private correspondence, led them to believe that they might be admitted without such ratification, under an executive proclamation. The chief question at issue was that of the basis

of representation, involving the right of the state to decide its internal affairs against the decision of the nation. The claim that such internal questions must be left to the state — the old claim of the seceding states — was the ground of the rejection. Thus ostensibly, as well as actually, this was a new rebellion, — a rebellion from the Southern point of view as well as from that of the nation. Under those circumstances Congress believed it necessary to put the South again under military control, and in the Reconstruction law divided it into five military districts, under officers who were to protect all the citizens, and to control affairs until state conventions knowing no distinctions of race or colour, and excluding unpardoned Rebel officers, should organize new governments and ratify the Fourteenth Amendment. Upon doing this, they came back into the Union.

Sumner had much to do with this law, which, after considerable discussion and amendment between the two Houses, passed once, and passed again over the veto. A member of the committee to draft the bill, he differed widely from his associates, but the Republican senators stood by him in the determination to require suffrage without distinction of colour. He himself has left this public record of his feelings: "For Mr. Sumner it was an occasion of especial satisfaction, as his long-continued effort was crowned with success." In its final form, Sumner declared the law to "contain much that is good, some things infinitely good, but as coming short of what a patriotic Congress ought to supply for the safety of the Republic." Events had forced Congress to his position of control

over the South; but that body accepted the situation from Lincoln's point of view, — as a military necessity. It never came to Sumner's full position that it was the duty of Congress to form new governments for what were at the most, and by Sumner's own description, only *lapsed* states.

Following this severe measure of reconstruction was the still more severe Tenure of Office act, which took from the President all power to remove the officers who were to execute the laws, and thus in his view, and with some truth, took from the executive branch of the government one of its chief functions. Under it no removals could be made without the consent of the Senate, and appointments during the vacation were only temporary or "ad interim." This was a clumsy measure of doubtful constitutionality, and was accepted by the more conservative part of Congress with actual though generally unacknowledged hesitation. The necessity for it arose from the wholesale removals with which Johnson supported his side of the contest, and the various administrative tricks with which he constantly circumvented the will of Congress. From Sumner's constitutional point of view, however, there was no difficulty in finding authority for this measure. As was so often his custom, he made a Republican state convention in Massachusetts the occasion of a speech setting forth the issue plainly and in popular form. There is perhaps no better statement of the congressional position both in its history and its principles than in these forcible words. Later, in the Senate, he dealt directly with the question of power; but in the half-dozen

speeches of various lengths, made on the different occasions when the matter came before that body, he was not so calm and considerate. He did not hesitate to place the necessity directly on the character of Johnson, whom he described as a bad man, a traitor in heart and in deed, the successor of Jefferson Davis, and in like unvarnished terms. Throughout the debate it is noticeable that on all hands the suggestion of impeachment was made constantly, and sometimes directly. In the bill as it finally passed, it was provided, among other things, that Cabinet officers should hold their places during the term of the President; and further, that no official should be removed during a congressional vacation, but only "suspended;" and if the Senate on its convening should not concur in this action, the suspended official thereby resumed his office. Moreover, any removal or appointment contrary to this law was made a "high misdemeanor."

On this measure, therefore, hung the next great event in our national history, — the impeachment of a President. As if to prove that there was no strain which a democracy could not bear, within ten years the Republic fought two great contests. The government of the nation fought out a great military struggle with the people who made the government; and Congress, representing the people, fought out a great legislative struggle with the government of the people's own creation. A popular government warred with the people. A government by the people struggled for mastery between its parts. Democracy endured the strain in triumph. The nation stood; but in some

respects both contests were drawn battles. In the first conflict the government conquered the states, but with victory in its hand saw the results of victory snatched from under its feet. In the second conflict parliamentary government won the issue, but lost the battle; while executive government won the battle, but lost the issue. In that long run which determines all things, the South has gained its particular demands, but has lost its great principle; the power has gone from the states to the nation. And it is not the Executive, but Congress, that has gained it.

By processes and along roads thoroughly abhorrent to Sumner, we have reached his idea of national control, and are using it for purposes he would have cast out with horror.

Notwithstanding all these sore fightings, these were nominally times of peace; and Sumner least of all his colleagues forgot the needs and duties of peace. Foreign affairs occupied much of his thoughts. He lost no time in authorizing a minister to the republic of Dominica, — afterward so important a point in the history of the country and his own career. He sought to establish our representatives abroad in their due rank of ambassadors, — a position refused them then and since by the pseudo-democracy of Congress; and, somewhat inconsistently, he carried the measure prohibiting their wearing a court-dress. He created the office of Second Assistant Secretary of State, in just recognition of the unequalled service of William Hunter. He favored the subsidies which gave us mails over the Pacific to Japan and the Sandwich Islands, and the appropriation for the beginning of a

ship-canal through the Isthmus of Darien. He congratulated both the Old World and the New on the completion of the ocean telegraph, and likened it to the discovery of America; and in many other ways he helped to keep us in the front rank of the nations of the world, while seeking to compose our disturbed internal affairs. Nor did he forget other and perhaps minor matters. He advocated the relief of the Supreme Court by the establishment of a new supplementary court, — a measure which it has taken nearly twenty-five years of accumulated law business since that time to bring about. He found the Constitution broad enough to cover questions of agriculture and health, — a claim of national power much derided at the time, but long since accepted as a matter of course. He proposed the opening of the Senate-chamber to the air of heaven, — a reform which unhappily lingers unaccomplished. He formulated and advocated the bill which first authorized the use of the metric system in the United States. He so far announced himself in favour of giving the ballot to woman as to say that it was obviously one of the great questions of the future, and eventually would be decided by the wish of woman herself. He sought to exempt public libraries from the tariff on books, and to reduce the tariff on coal, — the first because of its general effect, and the second because of its effect on New England.

Among these and other measures was one whose far-reaching consequences we are only beginning to discover, — the purchase of Alaska. Perhaps none of Mr. Sumner's orations have brought him more fame than his speech on this bill, and certainly no

measure in his long legislative career had more direct effect on the development of the country than this, so widely apart and entirely disconnected from the main work of his life. Secretary Seward had conceived the idea that by the purchase of this territory, then known as Russian America, we should show our friendship for Russia, who alone of the great powers had valiantly stood by us in the war; we should, as Sumner afterward put his own view of the matter, "dismiss another European sovereign from our continent, predestined to become the broad undivided home of the American people," and we should gain a valuable possession. On the 29th of March, 1867, Secretary Seward and Baron Stoeckel, the Russian minister, first laid this plan before Sumner, who was as eager as they for the result. The next day the treaty was signed. Ten days later, Sumner made a speech covering this hitherto unknown territory as completely as if it had been the interest of his lifetime. In the more than twenty years that we have been possessed of this great land, we have discovered, except in one or two particulars, no more of it than Sumner told us after the study of a single week. As usual on such occasions, he sent to the Congressional Library for all the works it contained on this subject, and his secretary declares that they came by the "cart-load." To these he added all the knowledge possessed by the Smithsonian Institute, either in printed reports or through its officials. Prof. Charles F. Baird, then its chief officer, took much interest in the matter, and gave him great and valuable assistance. Other departments of the government did likewise. Out of all

this mass of material in many languages, Sumner extracted with unerring skill what he wanted. The speech is à complete review of the history of that country and the political considerations making the treaty desirable; it is an equally complete review of all that was then known — and for the most part all that is now known — of "the government, population, climate, vegetable and mineral products, furs, and fisheries." It is an absolutely exhaustive survey, though curiously enough, as it proved, Sumner hardly credited the "fabulous" tales of the worth of the seal fisheries. But with no special attention to those, which have already brought the government a revenue of many million dollars, he considered it worth, as a commercial venture, much more than the seven million dollars we were to pay, and as a political and national acquisition of untold value. In closing, he suggested the name Alaska. What citizen of the United States to-day but admires and blesses the courage and foresight of those two statesmen who, regardless of the great war-debt under which we staggered, secured for us that magnificent possession!

During this brief period Sumner's personal history had moved on with astonishing and almost spasmodic rapidity. In October, 1863, in the midst of the most doubtful period of the war, his brother George died in Boston, in the prime of his life. Of all Charles Sumner's family this brother had tastes most similar to his own. According to Baron Humboldt, he "had done more to raise the literary reputation of America abroad than any other American." His death was no ordinary blow to the Senator, who was left

alone of all the five sons. Three years afterward, in 1866, his mother died. He was ever especially devoted to her, notwithstanding his long absences, and her death ended for him the home in Boston. One who knew her says that she retained something of earlier grace and beauty to the last.

"She was tall and stately, with the old-school dignity of manner; and if thought distant, you soon forgot in her genial friendliness and evident superiority of mind everything except that she was one of the most admirable of women."

Somewhat later in the same year, Sumner was married at King's Chapel, in Boston, to Alice Mason Hooper, a niece of Jeremiah Mason, and the widowed daughter-in-law of Sumner's friend and colleague Samuel Hooper. To those who had seen them together in Washington the marriage was no great surprise, for his devotion had been marked and somewhat opposite to his usual stately ways. Among all the fascinating women of Washington she stood pre-eminent. Beauty, grace, a slender and stately form, a high-bred manner, and aristocratic reserve were all hers, and withal a special fascination, coming perhaps from the uncertain moods of an extremely variable temper, — a temper which would pay its debts in the small coin of teasing or in the grand style, as fitted the mood of the hour. There was something of the spoiled child about her; there were all the characteristics of a society belle who is also a beauty, and there were other most feminine qualities. Rarely have two persons seemed to combine more of honours and graces; rarely were two persons so little suited to each other in

reality. Fascination and hope on the one side, fascination and ambition on the other, brought about the union. There was no need to question that Sumner found himself "in love" at last, nor much need to doubt the testimony of Mrs. Hooper's manner and blush when she spoke of him. But he was fifty-seven, a scholar, with the peculiar temperament already noted, and the bachelor habits of a lifetime, longing for the comfort and dignity of the home of which he dreamed. She was twenty-seven, with her own strange temperament and the habits at once of a belle and a spoiled child, looking forward eagerly to the new gayeties of a senator's wife, and contemplating a near future when she should be mistress of the White House.

A curious incident brought about their housekeeping. Sumner's friend, Senator Pomeroy, of Kansas, had but lately married, and he often dined at their house in the pleasant familiarity of the family table. On Sumner's expressing a sort of covetousness one day, Mr. Pomeroy said to him, "Sumner, if you will marry, you can have this house." To the astonishment of Mr. Pomeroy, not long afterward he was called upon to redeem the promise; and with the profound devotion to Sumner usual among his admirers, Mr. and Mrs. Pomeroy moved out of the house that Mr. and Mrs. Sumner might come in. It was not altogether suited to the Senator's needs, however, and his wife objected that it was inconvenient for the cotillion. Sumner, under the advice of Samuel Hooper, had already contracted for the corner house of a block of three, another of which Senator Pomeroy had taken. There was much

discussion over the new house, and Sumner's care for domestic details and interest in them was remarked. The winter that followed his marriage was a very gay one, but sometimes happy and sometimes discordant; and before it was entirely over, Charles Sumner's brief married life was at an end. Sumner believed himself to have suffered a great and irreparable wrong; Mrs. Sumner believed herself unjustly, and therefore cruelly, treated. The relations between them were so strained that neither explanation nor forgiveness was possible; and although there were outside attempts to bring about a reconciliation on the basis of forgetting, Sumner would have nothing to do with those. It is said that even in the most familiar intercourse he never spoke his wife's name again, alluding to her, if necessary, in a laconic manner as "that person." But with a chivalry little appreciated then or since, he resolutely refused, albeit under such bitter provocation as cut him to the quick, to give the world the belief which was an entirely sufficient reason for his action, and quietly accepted the interpretation that laid the separation at the door of his own temper. Whether right or wrong in fact, from his standpoint Sumner's was a knightly course under a severer ordeal than men are wont to suffer. How sore was the trial, was evident in the gloom and despondency that hung over him. Long after, he confessed to a friend that "thoughts of suicide haunted him, and then visions of withdrawing from the world and burying himself in some lonely châlet amid Swiss mountains." But to endure had become a second nature with him, and he

quenched trouble as he had smothered pain, with the mingled draught of duty and ambition, and pursued his way. Six years later, a divorce was quietly granted, — but according to current rumour, not until a bill had been passed by the Legislature of Massachusetts greatly softening the stringency of the divorce laws in that state.

During the long public and personal strain upon him in the summer of 1867, Sumner gave up the house in Boston which had been his father's before him, and sadly enough declared that now he had no home. But a few months later, in January of the next year, he moved into the new house to which he had once looked forward so eagerly, and which for the rest of his life was so much to him. Indeed, so characteristic an expression of himself did he make it, that, although he lived in it for only six years of his life, it is to most persons the frame of the picture whenever they think of Charles Sumner throughout his long career.

CHAPTER XXIII.

1868.

THE IMPEACHMENT OF PRESIDENT JOHNSON.

THE opening of Congress in December, 1867, was the signal for the renewal of the conflict between the President and Congress. Immediately after the close of the preceding session, the President requested the resignation of Stanton as Secretary of War, and precipitated the contest which was the occasion of the impeachment. Stanton's refusal grew out of his firm belief that public duty required this sacrifice of dignity. His suspension and the temporary incumbency of General Grant were the events of the summer, and Congress was confronted with the question immediately upon its assembling. It was a foregone conclusion that the Senate should reinstate the Secretary, and equally to be expected that the President should join the issue by his peremptory removal. When Stanton refused to vacate the War Office to the President's "ad interim" secretary, Gen. Lorenzo Thomas, but waited for the Senate's confirmation of a permanent officer, and for the second time disputed the President's authority, he divided the public into two camps, — those who looked with horror at the insult to the throne, and considered Stanton a usurper, and

those who hailed his courageous action as a new salvation of the country. Sumner held the latter view. In a widely copied message from the Senate-chamber to the castle in the War Department, he expressed himself in the laconic fashion peculiar to his private notes: —

MY DEAR STANTON, — STICK!

Ever sincerely yours,

C. S.

In the temper of Congress the effect of this controversy was never doubtful. The House of Representatives, in a haste and excitement unpardonable and almost indecent, impeached the President of high crimes and misdemeanors on eleven counts, of which the most important concerned his treatment of Stanton, and his characterization of Congress as an illegal body.

The controversy that thus came to its climax had many significant features, while even its details did much to influence the result. The impeachment itself was the final success of a persistent effort for more than the year previous. The removal of Stanton was the last of a series of removals, and gained a special meaning in the light of the whole. The appointment and retirement of Grant had a political significance as well as a governmental one, and produced on the one side a bitter quarrel between him and the President, and on the other added to the radical distrust of Grant. There were those who believed Johnson's action a part of a plot to make himself President again at any cost. But notwithstanding these facts and half-avowed beliefs, the high-handed action of

Congress, its hasty and ill-considered behaviour, were altogether indefensible on any ground except that of a necessity greater than ever has appeared. In the calmer light of history the occasion seems awfully inadequate to the grave remedy of an impeachment, and the whole contest like a duel between two parts of a government. But in so severe a judgment it must be remembered that, at the time, it appeared a great crisis to both sides. Men had not forgotten that excuses and over-confidence allowed the war to spring upon us unsuspecting; and statesmen who had helped to save the country had reason to be over-sensitive when they thought the result of the war imperilled. Nor can we tell to-day how much the impeachment accomplished as an obstacle to a centralizing tendency. There is no doubt that its failure was a fortunate thing; but it was a sharp lesson, and for the brief remainder of that administration there was quiet. As a historical event it was a great spectacle. The very simplicity of the occasion when the Senate assembled as a court of judgment, presided over by the Chief-Justice, and listened day after day to the arguments of the great lawyers on both sides, was an object lesson in democratic institutions. Not brilliant, like the great trial of Warren Hastings, it was incomparably greater in importance, for it was the head of a nation who was on trial. It was the peaceful revolution of a democracy. Only those who felt it ever can realize the excitement of its progress or the tension of the uncertainty as it drew near the end. The prosecution needed only one vote for success, and the courage of the seven Republican senators who voted "not

guilty" never has received the high appreciation it deserved. In so close a contest the incidental questions were of great importance, and on these points Sumner's learning and familiarity with Old World precedents were very valuable. His personal independence was shown in his opposition to the right of the Chief-Justice to rule or vote, when in a most learned speech he controverted the opinion and obstructed the wish of his old friend and customary associate, Mr. Chase.

His "opinion" — the speech in which he set forth his position — adequately represented his reasons for favouring impeachment. He began with an epitome of the situation which summed up in terrific fashion his view of the President's course. Said he: —

"This is one of the last great battles with Slavery. Driven from these legislative chambers, driven from the field of war, this monstrous power has found refuge in the Executive Mansion, where, in utter disregard of Constitution and law, it seeks to exercise its ancient domineering sway. All this is very plain. Nobody can question it. Andrew Johnson is the impersonation of the tyrannical Slave Power. In him it lives again. He is lineal successor of John C. Calhoun and Jefferson Davis; and he gathers about him the same supporters. Original partisans of Slavery, North and South, habitual compromisers of great principles, maligners of the Declaration of Independence, politicians without heart, lawyers for whom a technicality is everything, and a promiscuous company who at every stage of the battle have set their faces against Equal Rights, — these are his allies. It is the old troop of Slavery, with a few recruits, ready as of old for violence, cunning in device, and heartless in quibble. With the President at their head,

they are now intrenched in the Executive Mansion. . . . Not to dislodge them is to leave the Country a prey to a most hateful tyranny; especially is it to surrender the Unionists of the Rebel States to violence and bloodshed. Not a month, not a week, not a day, should be lost. The safety of the Republic requires action at once. Innocent men must be rescued from the sacrifice."

Yet he proceeded to say that he "would not depart from the moderation proper to the occasion"! With no less force and — shall it be said? — fury, he gave the particulars of the count in much detail, "showing how this proceeding is political in character, before a political body, and with a political judgment," — using the word "political" in its original and strict sense, and not according to its misleading modern use. He then dealt with the transgressions of the President in protracted line, explaining how they are embraced under impeachable offences, and after some attention to the legal questions involved, passed to consider the testimony. He took up each point learnedly or particularly according to its nature, in many cases replying completely to the arguments of Curtis, Evarts, and others in behalf of the President. The student of history will do well to read the terrible arraignment before determining the case between the President and Congress, or deciding upon the necessity for impeachment, remembering meanwhile that in this arraignment none of the counts can be denied, whatever opinion may be held of the underlying reasons or the policy indicated.

In its constitutional aspect, Sumner's "opinion" emphasized a point of view which had become his

theory of action. It grew out of high moral instincts indeed, and was at first but a tendency; but it had become a fixed philosophy, as really pernicious as at first sight it appeared to be noble. He had come to feel that everywhere and in all things law must yield to principle. A few illustrations will show the dangerous nature of this philosophy. Beginning with his position that the Constitution did not sanction slavery, he speedily held that this omission came from the fact that the right to freedom was a higher right than those given by the Constitution. Very soon he believed that the Declaration of Independence was the highest law of the land, and the United States was not bound by the Constitution except in so far as it agreed with the Declaration of Independence. He next concluded that Congress had supreme power over the "lapsed states" because the good of the country required it, and equal rights were to be granted as a right that transcended law. And his speech on impeachment is full of scorn and contumely for those who believed that it must be decided on the question of "law," — "technicalities and quibbles," as he asserted; for Andrew Johnson had, he declared, conspired against the nation itself, — an offence above and beyond law, and dealing with principles of national life, not the keeping or breaking of the nation's statutes. How specious and how dangerous such a view becomes, is seen in these illustrations. Its weakness and its danger appeared still more strongly a little later on, when other men could not understand, much less agree to, such a philosophy.

Many things contributed to persuade the Republi-

can senators who voted "not guilty" to the course they adopted. Among other influences, strong upon some men, were the changes it would bring about. To put Benjamin Wade (the President of the Senate) into the White House was the chief end of the whole matter to some, notably to certain congressmen. With others, to keep the country out of his hands was a quite sufficient reason for leaving Andrew Johnson there. Rumour was busy with further changes also. Regarding the impeachment as certain to result in conviction, various slates were proposed for President Wade's Cabinet. One made Benjamin Butler its chief member; another gave the place of Secretary of State to Sumner. It is beyond question that the fear of one or the other of these results, equally undesirable to many minds, had no little influence at important crises in the trial. To Sumner the acquittal was a great disappointment, and seemed a national calamity hard to measure. He felt that Stanton's resignation, which followed immediately as a matter of course, left the country in the hands of traitors again. The bitterness of the attack from every side upon three of the senators who voted for the President — Senators Grimes, Trumbull, and Fessenden — cannot be described. Certainly it greatly widened the breach constantly breaking out between Fessenden and Sumner; but when the great Maine senator died a year later, Sumner's eulogy was the expression of an admiration which had survived all their differences.

Johnson's term of office lasted a brief year longer;

but the contest was over. The winter which followed the impeachment had its own importance, but its political excitements were no longer the same excitements which had torn the capital and the country for three years.

CHAPTER XXIV.

1868–1870.

THE ELECTION OF GRANT. — LOUISIANA. — THE FIFTEENTH AMENDMENT. — SUMNER'S FOURTH ELECTION TO SENATE.

A PRESIDENTIAL election occupied the country immediately upon the close of the impeachment trial. Indeed, that contest was not without its direct as well as indirect connection with this fact. In the Republican convention, which met before the trial ended, the nomination of Grant was something more than a foregone conclusion. The convention was fiercely on the side of Congress in the struggle, and all its factions united in the unconditional assertion of those principles. So far as Republicans could bring it about, the country should pronounce for a real reconstruction. But if the work of the Republican convention was cut out beforehand, the Democrats were by no means in the same case. A very difficult and perplexing problem stared them in the face on the 4th of July, when they met in New York. The political situation from their standpoint was like a game. Skilfully played, and played all together, the presidency might be theirs; but could it be so played? The fiercest of the unrepentant rebels insisted upon their place and position in the innermost councils of

the party; and since that party was building its hopes of success on the assertion of their constitutional right to be there, they could not be ignored. But their presence was a constant irritation to the war element of both parties, and a constant menace to the success of the Democracy at the polls. No less troublesome a faction was composed of the friends of George H. Pendleton, of Ohio, who were determined on two things: the success of their candidate at any cost, and the success of what was known as the "Greenback policy," — another dangerous advocacy in the unsettled state of business. The friends of Andrew Johnson were eager for his vindication, and had much promise of accomplishing it. Two other factions which proved strong enough to be reckoned with, and which time showed to have staying qualities, were the friends of General Hancock and the friends of Senator Hendricks. But all these elements could not draw the attention of the whole country as did the presence in New York of another candidate whose name loomed up over all the others. Chief-Justice Chase had verified Lincoln's prediction that nothing could keep him from ambition for the White House. Strangely enough, feeling the place of Chief-Justice a thing to be given up for the sake of being President, he had gradually and at last entirely gone over to the Democratic party, in the hope of a nomination which he despaired of securing at Republican hands. More than one element desired to see him at the head of the ticket. The powerful New York cabal had long determined upon it, and were playing a fine game to bring it about. He was the second choice of several

factions; and, what was a stronger motive, he could be used to defeat enemies. There were a large number of disturbed and conservative Republicans who would, it was believed, vote for him, and help achieve success; and by no means the least thing on his side was the personal influence of Mrs. Sprague, who, following the example long set by English ladies, used all her intellectual powers and personal charm and political sagacity to fulfil her threat to Sumner that she would carry her father to the White House. The inside history of this convention, with its arguments and intrigues and heated discussion, is an exciting chapter in political history, and its outcome concerned men of all political complexions. In the end, the personal enmities and ambitions of the various leaders and their candidates, joined with the persistence of the Southern element, carried the convention. Horatio Seymour, identified with the hated "peace policy," and Frank Blair, Jr., of late especially outspoken in his denunciations of Congress, were nominated. The platform, besides pronouncing for the Greenback policy, violently denounced the reconstruction measures, declaring them usurpations, unconstitutional, revolutionary, and void. The issue which the Republicans made was accepted. The question was to be fought at the polls once more. Wade Hampton, who gloried in being one of the bitterest of rebels, shortly declared at Charleston that he himself had written this resolution, and that he was assured by leading Northern Democrats that the South had only to "help them once to regain the power, and they would do their utmost to relieve the

Southern states, and restore to us the Union and the Constitution as it had existed before the war."

What Sumner thought of the issue may be seen in his campaign utterances. In sober argument or in less restrained public speech he had but one message. He said to the people of Massachusetts: —

"You are to decide on the means for the final suppression of the Rebellion, and the establishment of security for the future. Shall the Rebellion which you have subdued on the bloody field be permitted to assert its power again, or shall it be trampled out so that its infamous pretensions shall disappear forever? These general questions involve the whole issue. If you sympathize with the Rebellion, or decline to take security against its recurrence, then vote for Seymour and Blair. I need not add that if you are in earnest against the Rebellion, and seek just safeguards for the Republic, then vote for Grant and Colfax."

And lest it be thought that this was but the extravagant utterance of a political campaign, a single other quotation shows as in a picture the truth of what he constantly elaborated with proof of all kinds: —

"As loyalty is the distinctive characteristic of our party, so is disloyalty the distinctive characteristic of the opposition. I would not use too strong language, or go beyond the strictest warrant of facts, but I am obliged to say that we cannot recognize the opposition at this time as anything else but the Rebel Party in disguise, or the Rebel Party under the alias of Democracy. The Rebels have taken the name of Democrats, and with this historic name hope to deceive the people into their support. But whatever name they adopt, they are the

same Rebels who, after defeat on many bloody fields, at last surrendered to General Grant, and by the blessing of God and the exertions of the good people, will surrender to him again.

"I am unwilling to call such a party Democratic. It is not so in any sense. Look at the history of their leaders, — Rebels all! Rebels all! I mention only those who take an active part. What a company! Here is Forrest, with the blood of Fort Pillow still dripping from his hands; Semmes, fresh from the 'Alabama,' glorying in his piracies on our commerce; Wade Hampton, the South Carolina slavemaster and cavalry officer of the Rebellion; Beauregard, the Rebel general who telegraphed for the execution of Abolition prisoners; Stephens, Toombs, and Cobb, a Georgia triumvirate of Rebels; and at the head of this troop is none other than Horatio Seymour of New York, who, without actually enlisting in the Rebellion, dallied with it, and addressed its fiendish representatives in New York as 'friends.' A party with such leaders and such a chief is the Rebel Party."

The country agreed with Sumner by an overwhelming majority. Nevertheless, there were already appearing certain indications of change, — certain little clouds which four years later seemed for a time likely to overspread the whole heavens, and which did in fact so hide the true course of events as to blind the eyes of many men. But for the time the country spoke in the same fashion as it had been wont to do since 1861; and if the words of Grant, "Let us have peace," proved to be only hope, and not prophecy, that was hidden for the time, and the country believed we were on the eve of their fulfilment.

Congress, reinforced by the result of the election, went on its vigorous way more earnestly than ever.

In the last session of the Fortieth Congress, it was principally concerned with a long discussion over the electoral vote of Louisiana, and with the passage of the Fifteenth Amendment to the Constitution, guaranteeing the right of suffrage "without regard to race, colour, or previous condition of servitude." Louisiana, from the days of Jefferson till this present the fruitful mother of disturbance, carried on its election by that course of violent intimidation of voters so beloved of the South, and believed by it so necessary to public safety; and Congress was called upon to decide whether its presidential vote should be received by the electoral college. There was the widest difference of opinion as to the proper treatment of the problem; but notwithstanding the large and aggressive Republican majority, it was determined not to refuse the vote of that state. Sumner took a large share in the debate, feeling that the course of Louisiana was too conspicuous an illustration of the temper of the South to pass unnoticed. He had once defeated the establishment of the old government there; he could not now, he felt, acquiesce in a course which had the same practical effect, with the added injury of legal sanction. The debate, slight as it was, and without special result (since the vote of Louisiana had no effect on the election), was of importance as the beginning of a long series of such discussions, lasting months after Sumner's death.

The passage of the Fifteenth Amendment was the last great act of the anti-slavery battle. It prohibited any state to deny longer those equal rights for

which Sumner had contended during a lifetime; but his vote was wanting, and his voice was lifted up against it. He took the position so familiar on the other two amendments, — that the Constitution already granted the right to suffrage, and to imply the contrary was a libel on that great instrument. On the other occasions he had, under protest, and after much juggling with words and phrases, accepted the situation, and voted for the amendments; but this time he preferred his consistency to his record. Believing that the only necessary action on the part of Congress was a statute, he introduced a bill to that effect at the earliest moment, but only eight men voted with him for so futile a proposition. How much effect this defeat had upon his course in voting against the amendment, it is difficult to say. He often opposed legislation for even less reason, and resentment at opposition sometimes decided his vote; but it is incredible that such causes as these could move a man of his calibre to an action which in a crowning moment contradicted his whole career. In 1865, his old friend Dana wrote of him in the freedom of private correspondence, —

> "Sumner never did care a farthing for the Constitution, is impatient of law, and considers his oath to have been not to the Constitution, but to the Declaration of Independence. If the negro votes, he does not care how the result is obtained or what else may follow."

How, then, had he come to such a different mind in 1869? Who can tell the motives that move the mind of man? It is true that Sumner believed the Fifteenth Amendment unnecessary, but why he

should refuse to vote for it, no adequate reason has yet been given. None of the awful results so graphically depicted in his speech against the measure followed during the period of ratification; and when, after the lapse of a year, the ratification was proclaimed, the sublime seems to have been combined with the ridiculous in the action of the negroes of the District of Columbia, who expressed their joy in a serenade to Sumner. It is hardly possible to read without a smile the speech in which he, who had done his utmost to defeat the measure, congratulated them upon the great result which changed the promise of the Declaration of Independence into performance. Perhaps it is hardly surprising that he at once turned from the past to the future, from "our triumphs" to "our duties," and dwelt upon the need of civil rights rather than upon the grant of political rights.

The elections had a personal interest to Sumner, who was again a candidate for the Senate. This time it was a simple matter, however; no secret conferences were necessary. Massachusetts was with him and for him. Out of the forty members of the Massachusetts Senate, only two voted against him; and in the House he had two hundred and sixteen of the two hundred and thirty-two votes cast. In such fashion did he return to the Senate for the last time; and March 4, 1869, the day of Grant's inauguration, Charles Sumner took his oath as senator of the United States for his fourth term.

CHAPTER XXV.

1869–1871.

SUMNER AND PRESIDENT GRANT. — JOHNSON-CLARENDON TREATY. — SAN DOMINGO. — "ALABAMA" CLAIMS.

In any discussion of the life or career of Senator Sumner, among the first points touched upon is sure to be his relations with General Grant. In the public mind, the occurrences of this period and their result in his desertion of his lifelong political associates have overshadowed much that is of greater importance. In fact, Sumner's career had already reached its climax, and its further achievements were only the finishing of things already begun; but the last six years of his life were a mystery that the public is always trying to understand. It was the experienced Walpole who declared that it was well-nigh impossible to trace the causes of disputes among statesmen, and few better illustrations could be found. It is a skein which never yet has been unravelled, and probably never can be; for it is so intertwisted with incompatible temperaments, misunderstandings, personal grievances, and prejudice, that no one purpose or single motive is sufficient to explain the action of any person in the controversy. Moreover, two distinct measures were mixed together in a manner that

greatly complicates the matter; but neither can be considered apart from the other, by reason of this arbitrary entanglement. A third measure, which long preceded the others, still cast its shadow over the scene. If, therefore, the account of this imbroglio is somewhat difficult of comprehension, it cannot be helped; for certainly no clear explanation can be given. A chronological statement of facts, some of them at first sight apparently unrelated, will show the small streams that at last rushed together to make the deluging cataract.

One of the last experiences of Sumner and Seward with foreign affairs arose over the proposed sale to our government of the islands of St. Thomas and St. John by the government of Denmark. For three years, between 1866 and 1869, these negotiations hung in the balance, vigorously championed by Secretary Seward, violently opposed by Senator Sumner. The discussion is still hot over the truth in that affair. The Senate finally refused to confirm the treaty which President Johnson and Secretary Seward had already negotiated, and the merits of the purchase need not now be discussed. But the whole matter became a part of the great controversy between the Executive and Congress. The President and the Department of State had negotiated this treaty; therefore, if for no other reason, the Senate would not consent to it. In this light the occurrence had much influence over the future; and absolutely without direct connection though it was with later events, its effect was evident when a little later another President negotiated another treaty for the purchase of another West Indian island.

In the very beginning of President Grant's administration, a measure came before the Senate which proved an event in Charles Sumner's career. That body still met on the 4th of March, and the new Senate was immediately confronted with the Johnson-Clarendon treaty, — a measure left over from Johnson's administration and Seward's diplomacy. The claim against England for the depredations committed upon our commerce by the "Alabama" was presented immediately upon the close of the war; but for more than four years the British government, whether Tory or Liberal, had peremptorily declined either arbitration or any settlement whatever. And now the treaty so long looked for proved insult piled upon injuries, being no more nor less than an agreement to pay the individual claims as a matter of private contract, leaving the question of national relations untouched. The wrong done was "unatoned for and unacknowledged." Sumner, in making the report of the Committee on Foreign Relations, announced that for the first time in his experience that committee had rejected a treaty, but this they would have none of. In a speech which handled the question without gloves, he set forth not only the glaring defects of the treaty, but expounded so that the wayfaring man could but understand, the feeling of the United States on the English treatment of our country. President Grant duly notified the Queen, through Minister Motley, that the matter would be suspended for a time; and after a year of quiet waiting and able management on the part of the President and his Secretary of State, Hamilton Fish, it

came to a successful issue. In the course of its progress, however, this matter bore much relation to Sumner's public life. His speech on the treaty was indeed remarkably powerful and remarkably plain, and it rendered the ratification of that treaty impossible. He exposed the hypocrisy of England in her ill-concealed assistance to the Confederate cause, and charged it to her commercial greed as well as her political antipathies. He accused the anti-slavery advocate among the nations of being at heart a lover of slavery; he plainly set forth its flimsy pretexts and breaches of diplomatic courtesy. Not a point was left untouched. He then further developed with eloquence and power the outrage to our national feeling, and claimed indemnity for the "indirect damages" to a nation in the heat of war when its adversary is succoured and supported. Believing that loss of honour would not strike the popular mind in England as would pounds and shillings, he boldly added up the loss to our commerce, the loss to future commerce, the cost of the navy required to meet the results of English interference, the prolongation of the war caused by English sympathy (he counted it doubled in length), and charged Great Britain as justly in debt to us for hundreds of millions of pounds sterling. The result proved that he had known his audience. The claim of "indirect damages" was the point that touched most deeply. All the charges of national dishonour did not hurt a tenth part as much as the claim for the payment of treasure. Such was the indignation in high places that the speech itself was not printed in any English paper, but was

sent over from this country in pamphlet form. England and his English friends never forgave Sumner. His course in the "Trent" affair seemed inexplicable; this was indefensible. To appreciate thoroughly his action, one must remember his feeling for England, and how much he valued his English connections and friends. What he sacrificed has never been better described than by George W. Smalley, writing at the time of Sumner's death. He says: —

"It would be idle to try to disguise the fact that Mr. Sumner, of late years, was more disliked in England than any other American. To some extent he was aware of this, and it gave him pain. . . . He was deeply grieved to be misunderstood and harshly censured by old friends. Some things said of him in private during his lifetime came to his ears, and he winced under them. . . . His sensitiveness never left him, and to the last he felt keenly whatever was said against him. His courage did not consist in hardening himself against cruel taunts, but in enduring steadfastly the agony — for it was often that — which a rankling shaft cost him. I never knew an American so profoundly attached to England. His reputation here was only less dear to him than his reputation at home. That he should have hesitated to speak the truth when it required to be spoken about England never occurred to him. He spoke of it as freely as he spoke of the wicked institutions and criminal doings of his own country in the days of slavery."

In these last sentences Mr. Smalley touches on an important aspect of Sumner's action. It was according to his temperament that he himself never could understand the English rage at this speech. Having set forth the facts as he saw them, he absolutely

could not comprehend why England was not convinced to the point of accepting his position. In the midst of the controversy he said, writing to President Magoun: —

"I have never known England behave so badly. My voice is the most friendly she will hear. My object was in all sincerity and simplicity to state our grievance, what I called our case against England, being all that causes our sense of wrong, leaving it to the government hereafter to determine how much of this we could pardon or forego. In my judgment, the first stage of this discussion must be what we suffered, stated plainly. England must see and know it. Until she does, she will make no adequate return."

The "Daily News," discussing his position, at a date when passion was forgotten, said: —

"A speech which sounded like a declaration of war, Mr. Sumner always insisted, with an almost naïve vehemence, was prepared and delivered in the single interest of friendship and peace. Strange and unintelligible as this seems to us, it is certain that it was Mr. Sumner's honest conviction, and that he was quite astonished when so many of his firmest English friends remonstrated with him on the extraordinary nature of the position he had taken up."

Another prominent English journal said, with much justice: —

"He held that a great injury had been done to the Union, — an injury which had entered deeply into the American mind, which for the well-being of both countries it would be wise fully and fairly to adjust, . . . maintaining it to be as much for the good of the King-

dom as of the Republic, that such should be the adjustment; the first point in this consideration would be to state what the grievance was."

Feeling thus, he never imagined the storm his words would arouse, as when he espoused the anti-slavery cause, he did not dream of the extent of his sacrifice. He was a man of the single eye, and did not comprehend that source of weakness and hesitation, a double vision, the contemplation of consequences also. It is not so much moral courage as moral earnestness that we must admire in Charles Sumner; and nowhere shall we find a better example of force and power given by such an enthusiasm for principle as hides entirely any hesitation or any consideration of consequences.

One of General Grant's greatest traits was the ability to learn. He would quietly take in the situation, see where it agreed or differed from his own estimate, and learn what his duty should be; then without words he would turn his steps about. But this implies that at first he did not know all that he came to know in four years, much less in eight. In 1869, he by no means took the broad views he had learned before 1877. And great as he became as a civil officer, he entered upon that career with all the limitations of an exclusively military habit of mind; and with the rest went a resolute opposition to all who directly differed with him. Whatever he might learn by indirection, he would receive no direct suggestions — much less control — from a subordinate, as he considered all those around him. Moreover, he had a justified confidence in his own judgment

of men; but he forgot that he had no experience on which to base such judgment of civil officers, while his loyalty to his friends was as dangerous in the President as it was noble in the man. There could scarcely have been discovered a temperament so poorly fitted to understand Sumner or co-operate with him as that of Grant.

It has already been suggested that Grant's somewhat conservative course toward the South, as well as his first attitude toward Stanton, and other similar actions, had prejudiced Sumner against him. On the other hand, Sumner's "whitewashing" epithet and general attitude had created an unpleasant impression in the mind of Grant. Other reasons for prejudice lay below any acknowledged distrust. It was at this period that in private conversation Sumner exhibited his surprise that he had not been the choice of his party for President; and during the time between Grant's election and the announcement of his Cabinet, Sumner discussed with more than one friend the question whether he should accept the position of Secretary of State, which he felt sure would be tendered to him. When, therefore, that position was given to a member of the House of Representatives from Illinois, without special qualifications for the conduct of our foreign affairs, Sumner was in no mood to look favourably upon Grant's judgment. The two men clashed immediately over another Cabinet appointment,—that of Alexander T. Stewart as Secretary of the Treasury. A confidential friend and devoted admirer of Sumner attributes the beginning of the differences on Sumner's part to pique at the failure of the President to consult

him in the formation of the Cabinet, and on Grant's part to the heat with which the President regarded the Senator's opposition to the appointment of Stewart. But whatever may have started the difficulty, it grew rapidly. Just at this time John Lothrop Motley was sent as minister to England. Motley was the intimate personal friend of Sumner, and the appointment, fit as it was in the light of a tribute, and unfit as it proved to be in a diplomatic light, was altogether due to the Senator's wish. When the new minister came to Washington for an interview with the President, General Grant was so unfavourably impressed that he said to an official in high office, "If I had not promised Sumner, I would not appoint Motley." Unfortunately the charge made against him in the infamous McCracken letter, which had caused his recall from Vienna, was of undue sympathy with Congress and of hostility to the President; so that later on, when Grant found himself also in a controversy with the Senate, the old charge returned to mind; and seeming as it did to coincide with the present situation, it served a new turn in increasing the prejudice already too strong in the mind of the President, — a prejudice created, as we have seen, by his own personal impression. The first diplomatic transactions of the new minister were unfortunately calculated to confirm this prejudice. During the early summer of 1869, a difference of interpretation occurred between Mr. Motley and Secretary Fish over the conduct of the "Alabama" negotiations. A great conflict of statement and even decided questions of veracity have arisen between the principal

actors as to what was said and done, or when and how certain transactions occurred and certain conclusions were reached; but in the main the fact is established that in his informal conversations and official communications Minister Motley reflected the views and opinions of Senator Sumner as just expressed in his aggressive speech, rather than the more conservative wishes of President Grant. This seems to have happened partly by reason of the fact that during the preliminary visit in Washington already mentioned, Motley and Fish had agreed upon the course to be pursued over the dinner-table at Sumner's house, and had even agreed upon the nature of the "formal instructions;" but afterward General Grant altered these instructions, and insisted on a much more moderate point of view. It is said that he added fuel to a fire ready to be kindled when he deliberately drew his pen through many of Mr. Sumner's sonorous but vague phrases embodied in these instructions. Motley, however, knowing nothing of these things, not unnaturally continued to interpret the letter of the written words by the spirit of the remembered conversation. Moreover, both old friendship and the prejudice of an experienced diplomat led him to feel that Sumner's view must be better than that of an unlearned military officer, with no knowledge of foreign lands or courts. He was, too, as rabid an American as Sumner in his personal feelings; and whatever may be his just fame in other directions, it must be concluded that tact was not his prominent quality. All this he immediately made evident to the President and State Department by

the tone of his interviews with the foreign office; but the whole matter was in abeyance, and the Secretary of State evidently thought such difficulties of little practical consequence, since it would be easy to arrange the negotiations himself, and counteract or overrule Motley if occasion should require.

During the summer the President was much occupied with a question of diplomacy nearer home, which shortly came to bear its own relation in the Senate to the English troubles. This ambitious project was a scheme for annexing the West Indian republic of Dominica, occupying the western half of the island of San Domingo. The black republic of Hayti occupied the eastern half of this island, and a successful revolution had just released the Dominicans from a threatened absorption in this Haytian republic, — a consummation devoutly wished by many lovers of Hayti in the United States. But the leader of the revolution, President Baez, fearing his success was but temporary, sought the protection of the United States and offered to sell his country to our government, — a measure indirectly calculated in the end to destroy the independence of Hayti also. General Grant, with the Civil War fresh in his mind, and forced to remember our difficulties with England, saw the great advantage of possessing a foothold on one of these islands, especially the actual necessity of a coaling station there. Under such circumstances he listened to the suggestions of the Dominican president, and in military fashion sent his secretary, General Babcock, on a secret mission of discovery clothed with somewhat military powers. When the Senate

met in December, 1869, they found that this young gentleman had already negotiated a treaty with Dominica; and this treaty Grant laid before the Senate in his annual message, setting forth the military and, as he had now learned, the commercial advantages also of such a possession. It was a measure never popular with Congress for a variety of reasons, not the least of which was the somewhat unfortunate method of its inception. The Senate was still sensitive as to any suspicion of interference with its own prerogative, and Congress as a whole was still unduly impressed with the belief that the lion's share of government was lodged in its hands. It was not in a mood to be pleased with this action of the President, and other things entered in to increase the unpopularity of the scheme. Sumner was violently opposed to it from the beginning. Grant recognized the weight of Sumner's influence in foreign affairs, and honestly desirous of conciliating him, went out of his way to seek the Senator. The night before the meeting of Congress, one Sunday evening, the President walked across Lafayette Park to Sumner's house for an informal conference on San Domingo. From beginning to end this conference was unfortunate. Some agreements were entered into, but they were differently understood; some discussion occurred, but it proceeded — all unknown to either — from different standpoints; and to crown the confusion, Sumner, with his usual conspicuous want of tact, insisted upon introducing the subject of Governor Ashley's removal, and even upon reading a long letter from that belligerent gentleman. Now, that distinguished champion

of the coloured race had hardly reached his new chair as Governor of the territory of Montana before he used it as the throne of vantage to criticise the President who placed him there; and Grant, accustomed to military discipline, did not hesitate to remove him as insubordinate. To Ashley and Sumner and their friends, accustomed to abuse successive administrations with their every breath, — as their daily duty, perhaps, — this was unpardonable, insulting, tyrannical. Mr. Ashley said as much; and it was the document in which he expressed these views that Sumner chose this occasion to read. The President was equally offended at the letter and its presentation. It was, he felt, altogether unwarrantable interference with his power over a subordinate, and he rose to leave in some anger. Sumner followed him to the door, declaring that he "expected to support the measures of the administration." Again there was a misunderstanding, and an important one. This voluntary declaration the President understood to refer to the business on which he had come, — the San Domingo treaty which he always believed Sumner then and there promised to vote for and support. But the Senator intended only those general and vague assurances so well understood by men experienced in statescraft to mean much or little as time or occurrences shall determine.

Out of these and other different interpretations of a single interview arose much of the difficulty. It seemed as if some malign atmosphere enveloped the occasion, making all its details work together for destruction. Even its trivialities became crimes.

In recounting it afterward, Sumner dwelt much upon Grant's inexcusable, and, as he felt, insulting ignorance of his own position and dignities. "He spoke of me a half-dozen times," said the irate Senator, "as the chairman of the *Judiciary* Committee. Think of that!" After such fashion did these two misunderstand and jar upon each other, and each lose patience beyond recovery. Thus in addition to the differences as to the meaning and transactions of this famous interview, it furnished a large element in the growth of the prejudice on both sides which counted for so much in the unfortunate result.

Under these circumstances, and understanding the position of matters as he did, it is easy to picture the President's surprise and anger when Sumner immediately and violently opposed the measure, — Sumner, who he had believed personally promised him to support it. It was already a pet measure with Grant. His own views of its importance were supported by two men in whom he had supreme confidence, — by that great military genius, General Rawlins, his Secretary of War, whose instincts agreed with Grant's as to the military value of the station, and who was, moreover, somewhat of the filibustering temper, and by General Babcock, the President's trusted secretary. It was charged afterward that Babcock, convinced of the commercial value of the island, had already entered into large speculations connected with it, and these charges were much used to inflame the public mind. No proof was ever given of their truth, and all the world knows long since that such an idea never had crossed the mind of President

Grant; but the charges did serve to make him more determined still to vindicate his own wisdom and uphold his friend. And they served also to intensify the opposition of Sumner, who believed them in all their length and breadth. Time has proved that Grant was right in his position. No American can look with satisfaction on our situation while all the islands off our coast are in possession of foreign powers, — a fact emphasized by the value these foreign powers set upon their possessions in our waters; and it is equally true that the commercial value of San Domingo is by no means to be slighted. But as has been said, from the beginning Sumner was bitterly opposed to the measure. He had determined that Grant must be watched and opposed. His remembrance of the old days when the slavemasters "talked like pirates" in the Senate came back to him; and believing as he did that these very men were gradually repossessing themselves of the government, he thought he heard their old plans for taking forcible possession of the West Indian islands repeated once more. He remembered St. Thomas, and this presidential blunder seemed a repetition of that and one more indication that now was as then. Moreover, he was violently opposed to the government of Baez and all its works, especially any action that would even indirectly affect his beloved republic of Hayti. Thus his personal prejudice, his public feeling, and his ever-sensitive negro nerve were all aroused, and he was thoroughly convinced that this was an iniquitous measure in its inception and its progress and its purpose. From the first, therefore, he fought it vio-

lently. Every effort was made to bring him to a different mind. His old friend, Secretary Fish, used all his influence, persuading, arguing, endeavouring to show Sumner the effect and result of the position taken, but all in vain. Sumner himself believed and publicly stated that Fish tried to bribe him with the offer of the English mission, — a proposition so impossible that it serves only as an illustration of his own absolute blindness to all humour or sarcasm when turned against himself.

On the 30th of June, 1870, the Senate rejected the treaty. The President attributed this action to Sumner's influence, and unwilling to believe in the unpopularity of the measure, gave that senator much too large a share in the result. On the next day the State Department requested Minister Motley to resign. There is no doubt that the immediate reason for this was Grant's anger at Sumner. But there is no doubt also that Grant was right in believing Motley entirely in sympathy with Sumner, and much under his influence. And if the President and the Senator were no longer in accord, it followed that the President and his minister to England were no longer in accord. The situation at once became impossible. Nor is there any doubt that for some time Motley's attitude and behaviour had been entirely unsatisfactory to the administration. His recall at some time was necessary to the carrying out of Grant's ideas in the "Alabama" matter, — since it was Grant and not Sumner who was President of the United States, — but his removal at that time was a mistake so unfortunate as to be well-nigh criminal. The

impossibility of relations between the administration and a minister of Motley's temper is shown by the fact that although requested to resign in June, he obstinately remained at his post, discussing the matter with the State Department and criticising the President, until he was formally recalled in November. It was now Sumner's turn to be angry, and his anger knew no bounds, — indeed, with some reason, for so pointed and personal a revenge for public action was without precedent.

In December, 1870, both our foreign complications, by a most unfortunate chance, came to a head at once. President Grant, in his annual message to Congress, again brought up the subject of San Domingo, and this time proposed its annexation after the manner of Texas. He also requested the appointment of a commission to investigate its value. In the same message he took up, as was necessary, the subject of our relations with England, and recommended that Congress should buy up all private claims against the "Alabama," that the whole question might concern the nation alone. This flank movement had the expected effect in the English foreign office. In the disturbed condition of European affairs brought about by the Franco-German War, and in the face of a dreaded Fenian outbreak in Canada, England began to make overtures looking to a renewal of these negotiations.

When the discussion over the appointment of commissioners to San Domingo came up, Sumner spoke against the treaty with a bitterness compounded of public duty and private wrong. His denunciations

of President Grant were so personal and so violent as to be without excuse. They went far beyond any license of debate. And while they were carefully framed not directly to accuse the President of fraud, they were as carefully worded to convey that impression. And in another direction Sumner went so far as to deliberately and in most offensive terms charge the President with an effort to remove three of the obnoxious senators from the Committee on Foreign Relations, of course including himself. This speech, naturally enough, rendered impossible any further personal communication between Grant and Sumner. The San Domingo commissioners were duly appointed and sent out. During their absence, much more debate was held, in all of which Sumner was prominent, reiterating his arguments and accusations, if not as violently, yet with the same plainness.

Meanwhile the negotiations with England were progressing with an astonishing rapidity, and although the President had no relations with the Senator, the Secretary of State was for some time in frequent consultation with him; but when in January the President sent to the Senate the Motley correspondence, its disclosures broke off even those strained relations. Thenceforth the State Department and the chairman of the Committee on Foreign Relations held no intercourse whatever, — did not even speak to each other. Meanwhile a commission was agreed upon between the United States and Great Britain to settle the "Alabama" claims. A little later the President transmitted the report of the San Domingo commissioners, upholding his judgment, and in the same message pre-

sented his view of his controversy with Sumner in words more dignified, it must be confessed, than Sumner himself had chosen.

In February, the High Joint Commission between Great Britain and the United States began its sessions in Washington. With the coming of the new Congress in March, a reassignment of the committees of the Senate became necessary; and under the influence of the President and the Department of State, Mr. Sumner was deposed from his position as Chairman of the Committee on Foreign Relations, — a position which he better than any other man in America knew how to fill, and which he had adorned since the day the rebels left the Senate in 1861. It was an action so severe it cannot be excused, so necessary it could not be avoided. The friends of Sumner are right in calling it a petty revenge, an inexcusable insult. The friends of General Grant are right in declaring that it was an absolute necessity, since it was clearly impossible that the official relations should go on with justice to the nation where the personal relations were such that no speech was possible; and they are not without grounds for saying that Sumner had abused his place and arrogated to himself power and influence which he had no right to exercise. The Senator prepared a statement justifying himself and arraigning Grant, so severe in its denunciations and so extreme in its personal bitterness that his friends — with some difficulty indeed — persuaded him to withhold it from the public. It was, however, printed and privately distributed, and in the end included by his biographers in his pub-

lished Works. Thus the controversy closed, but this was by no means its end. Results followed that were not foreseen, and for Sumner the consequences to his career and the effect upon him personally and politically were wide and deep.

This bare and tedious chronological statement, multiplied by the nature of the two men engaged, is, perhaps, the best explanation that can be given of an affair as complicated and mysterious as it was disastrous. Edwin Whipple, most subtle of critics and lifelong friend of Sumner, in an appreciative study of the great statesman, attributes the difficulty almost entirely to the difference of temperament and lack of understanding between Grant, Fish, and Sumner. He says among other things, —

"Sumner had become so accustomed to dominate in matters of state, was so blunt and belligerent in his conversation with Lincoln and Seward, that he could hardly understand why his outspoken advice should not be received by the new administration as it had been by the old," —

and he goes on to suggest that the inflexibility of Secretary Fish and the resistance of President Grant furnished the other side of the trouble. After the lapse of years and in the light of all the assertions and counter-assertions since offered to a public which still maintains its interest in the matter, no one can doubt the substantial truth of this explanation.

CHAPTER XXVI.

SUMNER AT HOME.

In December, 1869, Mr. Sumner moved into the house on the corner of Lafayette Square in which he died, and which was in many ways associated with him. To a large extent it fulfilled his idea of a bachelor home, which it practically was, for his married life was already a thing of the past when it was first occupied. The drawing-room, libraries, and dining-room, and especially the Senator's study, reflected his ideas and held his treasures. In these days of overcrowded bric-à-brac it would hardly be the æsthetic wonder it seemed at that time; but no one with any true appreciation of the life of the world could long consider those treasures without marvelling at the store collected there. For the most part, it was the personal, or what might be termed the literary interest, rather than the artistic, which had attracted their observer, and their arrangement always bore some relation to a dominant idea. Every available inch upon the walls and even upon the doors was covered with paintings and engravings. The tables and shelves were crowded with bronzes and rare porcelains, till they seemed like a jeweller's display; other tables and bookshelves, cabinets, chairs, even the floor,

held rare books, missals, mediæval manuscripts, and priceless autographs, — every sort of treasure dear to the heart of a connoisseur. It is now said that among them all the paintings were of the least value; but Sumner, who prided himself upon his knowledge of art, believed them to be undoubted specimens of the masters. Among them was a portrait by Sir Peter Lely, and another of Charles James Fox, by Gainsborough; a study of Hannah More by Joshua Reynolds; and the head of a monk by Holbein. One easel held a "lace-mender" by Gerard Douw, and another a landscape by Hobbema. There were larger landscapes of Gainsborough and Ruysdael and Salvator Rosa, a Magdalene by Caracci, a Madonna which was claimed to be a Murillo, and a dozen more of interest. But whatever may be thought as to the real value of these paintings, there is no question as to the value of the engravings. Crowded into portfolios, massed upon the walls, everywhere were these beautiful works of art. The collection contained specimens of all the great engravers, and nothing short of a catalogue would give any idea of its range or scope. The arrangement of these pictures, however, was most interesting. In the study of the Chairman of the Committee on Foreign Relations hung engravings of the Treaty of Westphalia, the Congress of Vienna, the Congress of Paris, the Declaration of Independence, and Penn's Treaty with the Indians. Round these as centres were others which claimed connection with them, as a bust of the first Napoleon placed near the Congress of Paris, and the portraits of Grotius and his wife, which kept company with the

Congress of Vienna. Among the several engravings of Burke which hung in this room was one which was sometimes mistaken for a portrait of Sumner himself, to which he often called attention for this reason. In like manner the staircase was hung with the pictures of beautiful stairways; "so that as you go up my poor stairs, you can imagine you are on any of these grand stairways; this is only a sort of ladder after all," said their owner. At the head of these same stairs hung photographs of the Giotti gates, the façade of the Louvre, the grand staircase at Versailles. "See," said Mr. Sumner on one occasion, "here are three perfect things. I do not remember ever to have seen them criticised; when I come home from the Senate tired and cross, I like to look at these; it comforts one to think there is something perfect, something that has never been criticised."

But more than all the rare engravings on his walls and all the exquisite china which he prized so highly, did Mr. Sumner love his autographs; and well he might. There were letters from Mme. de Sévigné, Southey, Mary Somerville, Sydney Smith, Harriet Martineau, Mrs. Shelley, Thackeray, Dickens, and all the lights of the world of contemporary letters. Some of his autographs were presentation copies of contemporary engravings; some were books sent to him by famous authors in many languages and on many subjects. Here was the original score of an opera; there was a diploma of the College of Padua. The guest-book of an Italian nobleman in 1600 contained a couplet written by one John Milton. There was Bunyan's Bible and Milton's annotated Pindar and

John Adams' copy of the Federalist. There was Melancthon's Horace, and a pocket Testament which belonged to Racine, the proof-sheets of the "Essay on Man," and a copy of Erasmus wherein Holbein had made little sketches on the margin. It seemed as if there were no end of these written tokens of history. Mr. Sumner enjoyed these treasures with all the genuine delight of a collector and all the simplicity of his peculiar, somewhat childlike satisfaction; he was in the habit of exhibiting these to his friends or those who would appreciate them; and it was hard to tell who most enjoyed the fast-flying hours, the surprised and delighted visitor or the host so full of knowledge on every point, and so running over with anecdotes suggested by his possessions.

In the midst of these, his household gods, Sumner lived and worked; for if his house was in some ways a gallery, in others it was a workshop. His study was heaped with books and papers thrown down in promiscuous piles until at some times it was difficult to move about among them. His long hours of work scarcely sufficed for what he must do, and especially for the correspondence to which he was so faithful. It was at this period that he began the interminable labour of publishing his Works; and not only his own secretary, but the Librarian of Congress, attest the enormous pains he took that the edition should be both complete and accurate. Nine volumes were published when he died, and three more were in his desk. The other three his executors completed. In this house Sumner gathered his friends about him. All distinguished foreigners brought letters to him;

and whoever they were, they were certainly his guests in some fashion. Especially were his dinners famous for all that dinners should be. Longfellow wrote him, "One returning traveller reports that you are the leader of the Senate, and have more influence than any man there. Another reports that you have the best cook in Washington!" Certainly he gathered around his table, to test the quality of that cook, all the cream of the great world, all that was best in that brilliant society of which Mr. Sumner was so large a part. A charming host, found these guests gathered often from more than one country; but they had need to be good listeners, for once started on one of those topics so interesting to him, he was wont to monopolize the talk. There was not much play of words and little lightness of touch in those monologues, but in every other sense they were brilliant beyond their kind. And that dinner-table was notable in another way, — it never heard broad story or doubtful jest, and its repartee was altogether delicate.

Among all the dinners ever given in that house, none were more extraordinary than the double entertainment to the High Joint Commission for the settlement of the "Alabama" claims, which took on an aspect more public than private. Perhaps nothing shows more clearly Senator Sumner's phenomenal influence in foreign affairs than this incident. The gentlemen on this commission found Charles Sumner deposed from his position, and officially without any connection whatever with our foreign affairs; and yet it was to him they went for advice, suggestion, counsel of every kind. No one person, neither General Grant nor Secretary Fish,

much less Senator Simon Cameron, who had succeeded Sumner at the head of the Foreign Relations Committee, had so much to do with the positions taken or the result obtained as this man, whose house became in some sort a centre for the English portion of the commission. In the course of their deliberations there occurred a singular and most significant incident. The commission itself caused it to be understood that it would be glad to accept entertainment at the hands of Mr. Sumner, and he accordingly gave them a dinner for the completeness of which he spared no pains or trouble. It was notable for the delicacy of its menu and the rare wines. After it, was served mandarin tea, which the Countess de Grey recognized as the same tea she had tasted at Windsor Castle, — a priceless gift which Mr. Sumner received from the Chinese minister. But after all is said, it was only a dinner among dinners. The extraordinary fact was that the commission came back again to dinner the next night. This time they came without their ladies, and they stayed late into the night. There was little preparation for the dinner itself, but the deliberations of that evening were long and profound. Their effect upon the differences which had already arisen cannot be calculated. Such was more than once the nature of Sumner's greatest service, — his personal influence over the statesmen of other countries as well as his own, men who had been his friends for many years; an influence which, as it appeared in this case, was wholly independent of place or power.

CHAPTER XXVII.

1870–1872.

CIVIL RIGHTS BILL. — LIBERAL MOVEMENT. — SPEECH AGAINST GRANT. — RE-ELECTION OF GRANT. — TRIP TO EUROPE.

ALTHOUGH for a time the interest of Charles Sumner's career was centred round a different class of affairs, its main purpose was not changed. For four years he laboured in season and out of season to secure to the negro those civil rights which throughout the Southern states were everywhere denied him. In May, 1870, he introduced his famous Civil Rights bill, in its first form a repetition and enlargement of a measure prepared by his colleague Henry Wilson five years before. But notwithstanding his repeated efforts, — efforts which must have sometimes recalled his early experience when anti-slavery measures could find no place on the calendar, — he could not get the bill considered for more than a year, and then only by a parliamentary stratagem. The appearance of a bill removing the legal and political disabilities which the Fourteenth Amendment imposed upon the late rebels, became Sumner's opportunity. Justice first, generosity afterward, was his cry; and he offered the Civil Rights bill as an amendment to the Amnesty act. If the disloyal white citizen was to have all his old political

rights, the loyal coloured citizen should have all his new civil rights, was the Senator's stern logic, and he determined the Senate should face that question. As often as he offered the amendment, it was voted down; as often as amnesty was proposed without it, that was refused.

The opposition to the measure came from two sources: from those reconvened but not reconstructed rebels who were repeating in the Senate of 1870 the arguments of 1860, and from those Northern senators who sympathized strongly with Sumner's purpose, but doubted or denied the constitutional right to grant what he asked. Political rights were an affair of the nation, — we had settled that in blood and fire; but civil rights, — where did the Constitution permit the nation to interfere with the local concerns of the states? Not without reason such men as Trumbull and Carpenter and Frelinghuysen, with the majority of their associates, felt that we could not do in times of peace what we had done as a military necessity. To Sumner these were of course meaningless objections. When the equality of human beings was in question, he never stopped for legal barriers. If the Constitution did not sanction these measures, the Declaration of Independence did; and once more he called upon the Senate to interpret the Constitution by the Declaration, and this time he declared the two "co-ordinate authorities," while he called those men traitors to liberty whose consciences refused assent to his position. In all this Sumner was evidently consistent with his past. It was on the basis of the Declaration of Independence that he claimed the right

of emancipation. He always spurned the idea that our right to free the slave was the right of war; and he claimed the same right of protection that he had of emancipation, scorning the idea that we must abide by the Constitution in such a case. Whether the one or the other course would have been the wiser, it is still after twenty years too early to determine. There are those who believe that some measure of civil rights stronger than that finally put upon our statute-books in 1875, would have prevented a difficulty that still haunts us; others point to the judicial complications and practical difficulties in enforcing that measure as a proof of the uselessness of law unsupported by public sentiment. But be the fact as it may, to Sumner it was enough to pass the law. With that, the deed was accomplished in his mind. He believed the negro problem would be solved when the law beheld white and black with equal rights in all public places; and he held that the nation possessed, by the double right of original title and of conquest, the power to give him that equal place. Men will judge Sumner here, as through his career, very much according to the temper of their own minds. To those who believe that constitutions and laws must be obeyed by nations, his view will seem grandly mistaken, a great impossibility; but to those who believe that all law must stand aside before human rights, he will seem a hero, and to oppose him a crime. The first think him a prophet leading men toward the light; the last, a lawgiver baffled and defeated by the powers of this world.

The speeches in which the Senator defended his

position during the long debate, which lasted indeed until after his death, are perfect "armouries of information" on the subject. The reader who wishes to see what justification Sumner had, what urgent need he felt, cannot do better than to study those orations, — the last and by no means the least effort for the black man of his greatest champion, who died with scarcely a sight of the promised land. Time and trials had not served to make him more temperate in his speech, however, and both in debate and in the longer speeches he was severe beyond endurance. Thus in every direction he widened the breach with his party which was soon to become a chasm.

The month of January, 1871, saw the admission of the congressmen for Georgia; and for the first time since December, 1860, — a full ten years, — every state was represented in that body. The presidential election was already casting its shadows before, and at this early date Sumner expressed his views in a series of resolutions to amend the Constitution in such wise as to limit the presidency to a single term, — resolutions with a preamble so elaborate that it amounted to a speech, citing all the historical allusions which bore on the question. From that time onward, all the acts of the administration, and of the Republican party as well, were seen by Sumner through the medium of his prejudice. This was especially the case in the great debate over the question whether we had violated neutrality in furnishing arms to France, — that drawn battle of oratory between Morton and Schurz, — when Sumner made a lengthy speech somewhat heavily weighted with these same prejudices.

Sumner's course against Grant derived its chief effect from its relation to the political contest then going on. The split inside the Republican ranks proved of formidable proportions. Overweening personal ambitions on the part of prominent leaders — notably some of the great senators — inevitably created animosities, since they were insurmountable obstacles to other personal ambitions which had no room to grow. The military idea, which governed President Grant far too much, created an opportunity for the undue influence of those few men whom he trusted. These things furnished a soil in which the seed of discontent brought forth a hundred-fold. The discontent itself came from different causes. There was a not small body of Republicans who honestly believed Grant to be personally corrupt, and that the administration was wrong in its whole position. The business interests of the North again cried out, as of old time, that too much thought was spent upon the negro, and the men who should govern the South were its old masters; from them the commercial North might expect a market, but the negro had no business status. Peace would mean business, — it was generally called prosperity, — and therefore peace was the first necessity. The negro question must take care of itself. Moreover, those Democrats who had supported the nation during the war had almost to a man returned to their old position of the rightful power of the state over its local affairs. To their mind, Grant's government and the radical element in Congress had gone much too far in their control of these states. In very truth, the tact with which

Lincoln had held all these forces in hand had been greatly wanting; and in pursuing our most difficult way, we had gone now too far in this direction and now too far in that, — we had gone forward when we should have held back, and lingered where progress was a necessity. For a variety of reasons, both good and bad, there was much dissatisfaction with Grant himself; and Sumner had done his share in promoting the dissatisfaction. Thus many things combined to bring about what was known for no discoverable reason as the "Liberal" movement. Missouri took the initiative; New York once more — should we not say, as always? — rolled off upon the country her local quarrels; and Massachusetts, characteristically eager for new departures in politics, lent much strength to the movement. By the irony of fate, however, the favourite sons of all these cliques were thrown over for Horace Greeley and Gratz Brown, — the one representing all that this collection of ambitious politicians did not believe in, the other a triumph of a defeated element. Although Sumner was in no sense a candidate, and indeed announced himself as in favour of Lyman Trumbull, there is little doubt that he ardently desired this nomination himself. He was conspicuously mentioned for the place, and felt it his due, as he had done four years before.

But before he finally crossed the political Rubicon on the hither side of which were the associations of a lifetime, he made a speech which he believed would give a new candidate to the Republican party, and enable him at least to take his old position as one of its leaders. On the last day of May, 1872, he inter-

jected into the deliberations of the Senate a direct attack upon President Grant, — going far out of his way to seek an opportunity, so that he chose for an occasion a miscellaneous appropriation bill. His remarks bore not the remotest connection with the business in hand; they were no more the direct concern of the Senate than the nomination for Governor of Massachusetts. In every particular it was a stump speech, and that of the most violent and virulent sort. In form it was a recital of the complaints against Grant; and its very weakness discloses the weakness of the opposition to him. Mr. Sumner's most ardent admirers can but regret its diatribes, as they deplored the form of his attacks upon President Johnson. He arraigned the character and purposes of Grant, went far afield to discover in the most trivial and natural circumstances the evidence of Cæsarism, declared the mistakes growing out of ignorance or a soft heart to be crimes, and dealt with the faults of the President with inquisitorial severity. President Grant was charged in a characteristic climax with violating the Constitution, disregarding international law, and offering indignity to the African race. All the deeds of his administration were condemned in unsparing terms, and interpreted with little regard to the real situation; and always, in every category of complaint, the last and crowning outrage was San Domingo. But as if it was not enough to charge him with all political high crimes, the angry Senator added also charges of personal corruption expressed in every fashion, — not omitting those vulgar touches to which Sumner was

so liable under the influence of passion. As Mr. Sumner left the Capitol for his house, he said to one of his colleagues, "I have to-day made the renomination of Grant impossible;" so little did he realize his own position or the temper of the country. Two weeks later, the Republican convention at Philadelphia renominated Grant without a single dissenting vote. And to his name they added that of Henry Wilson of Massachusetts, Sumner's own colleague in the Senate and lifelong companion in the anti-slavery cause. Another month, and the Democrats had accepted the situation as their one chance of success, and adopted both the candidates and the platform of the Liberal Republicans. In the end, it is true, the usual result came about, and the larger and more coherent Democratic party absorbed the widely separated and loosely held elements of the "Liberal" party into an organic connection never since lost. But at first the question was between the old Republican party, known as the "Stalwarts," against a new Democracy containing the most radical element from the Republican ranks. Such are the paradoxes of political history, brought about by that personal element which is the largest factor in all governmental annals.

If Sumner hesitated at the alternative presented, it was but a momentary and trifling hesitation. With all his heart he believed in those days that the continuance of President Grant in his high office meant ruin to the country; and carried away by the specious doctrine then first made into a platform, that men were better than principles, he believed that Greeley at the

head of that Democratic party he had so often and so violently denounced was better than Grant at the head of the Republican party led by men who were his personal enemies, and whom he believed dangerous to the country. He announced himself in an open letter addressed to the coloured voters, advising them to vote for Greeley, and declaring that the success of the Democratic party at this time would not be in any sense a Democratic success, but the "inauguration of Republican principles under the safeguard of a Republican President and Republican Vice-President, with Democrats as avowed supporters." For the rest, this declaration of principles was in the main a *résumé* of his speech against Grant; and so in great measure was the speech which he prepared for a campaign speech in Faneuil Hall, but which was never delivered. In this last, however, he devoted considerable space to the effort to prove his own political consistency in the matter, and the good faith and future promise of his old enemies, the Democrats and rebels.

Sumner's friends, wiser than he, persuaded him to make his failing strength an excuse to leave the campaign and go to Europe, — making up a purse for that purpose, it is said; and he spent the autumn in what proved a last visit to his old haunts in France and England. During his absence his new political friends accepted the logic of his position, and nominated him as the Democratic and Liberal candidate for Governor of Massachusetts. It was an honour speedily declined. He returned in November, just as the election had closed, — a contest in some of its

aspects one of the most extraordinary in our history. Only six states voted for Greeley. The most sanguine Republican scarcely hoped for such a success. How little Sumner expected it, was seen in a private conversation shortly before he sailed. He sought an opportunity to ask a prominent Massachusetts official near the President as to the chances of the election, and was answered that there was no doubt of Grant's election. He threw up his hands in surprise and said, "You and Wilson are the only two men who tell me it is possible!" But he lived to change his position. What influenced him cannot be told; but shortly before his death he said to a Republican congressman from his own state, with whom he had long held most intimate relations, "I have changed my views about Grant." And on another occasion he repeated to the same friend what he said more than once to others: "I have come back; I have come back to stick. There is no safety for this Republic except in the Republican party."

CHAPTER XXVIII.

1872–1874.

CENSURE BY MASSACHUSETTS LEGISLATURE. — ILLNESS. — QUIET LIFE.

THERE was but one more event in Charles Sumner's career; the rest were only episodes. This added another and a very heavy weight to the burden of disappointment he had to carry. Immediately upon the meeting of the Forty-second Congress he offered a resolution in the following words: —

"Whereas the National unity and good-will among fellow-citizens can be assured only through oblivion of past differences, and it is contrary to the usage of civilized nations to perpetuate the memory of civil war: Therefore,

"Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That the names of battles with fellow-citizens shall not be continued in the Army Register or placed on the regimental colours of the United States."

What motives moved this action it is difficult to say. Doubtless they were mixed, as is the wont with men. His old advocacy of peace returned; the hatred of Grant, who had won these battles, then regnant within him; his consistency as an advocate of Greeley and conciliation; his own belief that he never

cherished an animosity; certain historical precedents, — these or other motives may have entered in. Whatever induced him to offer such a measure, a curious incident is told of the immediate occasion. One of his old and close friends in Washington, himself a Massachusetts man, was sitting beside him in the Senate on that day. The Senator, looking through his desk, came upon this measure, which in substance he had offered ten years before. Major Poore, much pleased with the idea, suggested he should offer it again then and there, which he accordingly did. Thus almost by chance he mortally offended his state, for the commonwealth of Massachusetts was in no conciliatory mood in those days. Two or three years later she had herself forgotten the difference between treason and loyalty, and made haste to proclaim the fact; but in 1872 the day of Northern honours for rebel soldiers had not arrived, and her Legislature was hot with rage at a proposition that these memorials to the glory and sacrifice of her slaughtered sons should be destroyed by the nation they had saved; and for the same reason Massachusetts still honoured Grant, and was disposed to show her abhorrence of those in her borders who had rejected him; and in particular it was a not-to-be-neglected opportunity to punish the apostate Senator. Accordingly the Massachusetts Legislature made hot haste to pass a vote of censure upon Charles Sumner for the battle-flags resolution, — an action absolutely without warrant by any theory of representation current in New England, and absolutely without excuse in its wanton cruelty, its futile and petty revenge. In justice to the state of Massachu-

setts it must be said that Sumner was somewhat over-sensitive in the matter. The text of the resolution, after relating in the preamble that a bill of this character had been introduced by a senator from Massachusetts, and declaring that such a bill would be an insult to "the loyal soldiery of the nation," proceeded in these words, "Therefore resolved, That such legislation meets the unqualified condemnation of the people of Massachusetts."

The censure was by implication only, and the offence was chiefly against the whole republican theory of legislative duty. Nevertheless, it was felt as it was meant to be felt, as a personal matter, and touched Sumner in one of his most sensitive nerves, — his pride in the state of Massachusetts. That state shortly realized that she had chiefly censured herself in her action, and a new Legislature undid the work of its predecessor. In January, 1874, acting upon the petitions of all the public men of prominence in the state, the Legislature formally "rescinded and annulled" the proceeding of the two years before. The news of this action reached Mr. Sumner in the very last days of his life, and gave him a pleasure which cannot be estimated except by the measure of his own sense of the wrong done him.

In the spring of 1873, he was granted the divorce he had been seeking for a year or two, and his domestic romance was officially broken, as it had been practically so long before. It made absolutely no change in the life he was leading, and was of interest to the public then, as to his biographer now, only as one of those cardinal facts which could not be ignored.

His extravagant taste for bric-à-brac had been gratified largely by his lectures, and he frequently exhibited one and another treasure as the result of this lecture or that address. These expensive amusements, and losses in part occasioned by the Boston fire, had left him some ten thousand dollars in arrears, and he proposed to spend the summer of 1873 in mending his broken fortunes by a lecture tour; but the faithful friends who stood so closely around him in any financial crisis, came to his rescue with a gift of so liberal a character that this became unnecessary. In these the last months of his career, Sumner led a more quiet life than had fallen to his lot since he first entered upon the public service. There were weeks when he went to the Senate very little, but occupied himself with his books, his correspondence, and his friends. Angina pectoris had clutched his heart, and the strongest remedies only fought it off for the time being. He hesitated to endure the severe treatment which Dr. Brown-Séquard proposed, and said sadly, "I have suffered a great deal." His health did not permit much action or excitement. Neglected by the Senate and snubbed by the administration, there was little place for him in the national councils, while his own state had hurt him in every fibre of his sensitive nature. His voice was occasionally heard in the Senate, it is true, but for the most part to gather up the threads of half-done work. The Civil Rights bill still claimed his attention; he spoke for his beloved Boston and for suffering Memphis, devastated by fire and fever; he appeared in print occasionally on behalf of the coloured race; he eulogized a dead

associate now and then; and although his published works make no mention of it, his last speech in the Senate a day or two before his death was to favour a Centennial celebration which should be national and American, not international and European. Thus, after a somewhat subdued fashion, this stormy life ended, — not altogether in sunshine.

CHAPTER XXIX.

1874.

DEATH AND BURIAL.

THE end came suddenly and almost without warning. On Tuesday night, March 10, 1874, Mr. Sumner was seized with a violent attack of angina pectoris. It was by no means an unusual thing, for the slightest disturbance of mind or body would bring on the agony in those enfeebled days. The pleasurable excitement produced by the action of the Massachusetts Legislature disturbed the motions of his heart, and a slight indigestion following his dinner aggravated the trouble. The occasion was immaterial; for so strong was the disease lying in wait for his every unguarded motion, and so feeble the resistance his weakened body could offer, that the length of his life was almost a measurable quantity; the occasion of his death should be this or that, as might befall. He was scarcely more than twelve hours in dying, and amid much and extreme bodily suffering his mind reverted with equal pain to his unfinished labours on the Civil Rights bill and to the Works which he intended for his monument. On the 11th of March Charles Sumner died, a little more than sixty-three years old. The impersonality of his

life and his curiously isolated position were pathetically illustrated in this death-bed, at which a nation mourned, but where family tears were wanting; where public issues were the last thought, and private ties were forgotten.

His funeral was one long tribute and "pageant of woe." Beginning with that stateliest and most solemn of our national ceremonies, a funeral in the Senate-chamber, he was honoured in the place which he had so long honoured, by the presence of the government itself, waiting upon death with a grief which was genuine, and an admiration which remembered the glorious past and forgot the less happy present. He was attended by men of national fame all the way to the city of his birth; and there the mortal frame was delivered to the state which, with all her vagaries, was always so proud of him, and which received the sacred trust with all the pomp and circumstance she could devise. Grief, public and personal, was not wanting; and it was the common people who mourned most and most sincerely this great aristocrat, who was yet the champion and defender of a despised race. The commonwealth expressed her grief and sorrow in public ceremony and eulogy; the Congress did him like honour. Connected with these last eulogies was a dramatic incident of which much has been made, but whose true history was more striking and instructive than the public ever has known. Among the members of the House of Representatives who begged as a privilege the opportunity to say something in eulogy of Mr. Sumner was L. Q. C. Lamar, of Mississippi; a congressional associate of Sumner

before the war, he had been an active and bitter Confederate, and was now returned to his former position. That he should wish to eulogize the great anti-slavery champion seemed a noble triumph for Sumner's character. But only those within the inner circle knew that this somewhat ostentatious advocate of peace and fraternity refused to speak in the order of his assignment because that order placed him after a coloured congressman. Nor could anything be done until one of Sumner's colleagues quietly changed places with the ex-slave-owner, and himself spoke directly after Mr. Rainey, leaving to Mr. Lamar the opportunity of seconding the resolution, — a situation more to his mind. If any justification was needed of Sumner's course in reconstruction matters, and his distrust of rebel professions of justice to the black man, it was furnished by this incident of his own burial.

Sixty-three years this man had lived upon earth. For more than a score of them he had been counted among her great men, with what reason his life has shown. A child of New England, and the product of her traditions, he was a citizen of the world; a scholar, he neglected learning that he might act nobly; a statesman, he taught his country that greatness was only greatness when it was founded upon justice; loving the praise of men, he cast it aside as a thing of no worth that he might serve the lowest of his brethren; very human, he made of his faults an offering, and hesitated not before suffering, and welcomed scorn, if so be these were the fiery tokens of duty; a man of eloquent speech, he

trained his lips to speak no word that did not express a purpose of his soul, till men taunted him with his constancy; strong for the right, he was fierce against wrong; loving liberty, he looked neither to the right hand nor to the left, but pursued her with a single eye, and forgot the lions in the way that he might the sooner bring his people to her pleasant paths; the sworn knight of righteousness and freedom, he dallied not with pleasure nor hesitated for danger: all things were his, that he might use them for mankind,—and mankind crowned him with great glory, and laid in his right hand the gift of fame.

When the Senate of the United States brought him back wrapped in honours to the commonwealth of Massachusetts, the most eloquent of all her silver tongues gave up the sacred charge, in words that better express the sum of Charles Sumner's life than any lesser phrases could do. In the State House itself, where gather all the traditions of the old commonwealth, in the midst of her officers, and surrounded by the distinguished men who had come on that solemn errand, Senator Henry B. Anthony said,—

"We are commanded by the Senate to render back to you your illustrious dead. Nearly a quarter of a century ago, you dedicated to the public service a man who was even then greatly distinguished. He remained in it, quickening its patriotism, informing its councils, and leading in its deliberations, until, having survived in continuous service all his original associates, he has closed his earthly career. With reverent hands we bring to you

his mortal part, that it may be committed to the soil of the renowned Commonwealth that gave him birth. Take it; it is yours.

"The part which we do not return to you is not wholly yours to receive, nor altogether ours to give. It belongs to the country, to freedom, to civilization, to humanity. We come to you with the emblems of mourning, which faintly typify the sorrow which dwells in the breasts they cover. So much we must concede to the infirmity of human nature; but in the view of reason and philosophy, is it not rather a matter of high exultation that a life so pure in its personal qualities, so lofty in its public aims, so fortunate in the fruition of noble effort, has closed safely without a stain, before age had impaired its intellectual vigour, before time had dimmed the lustre of its genius? Our mission is completed. We commit to you the body of Charles Sumner. His undying fame the Muse of History has already taken into her keeping."

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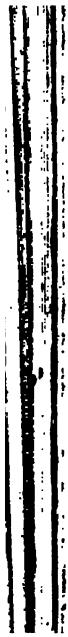

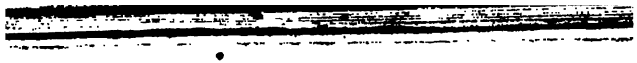

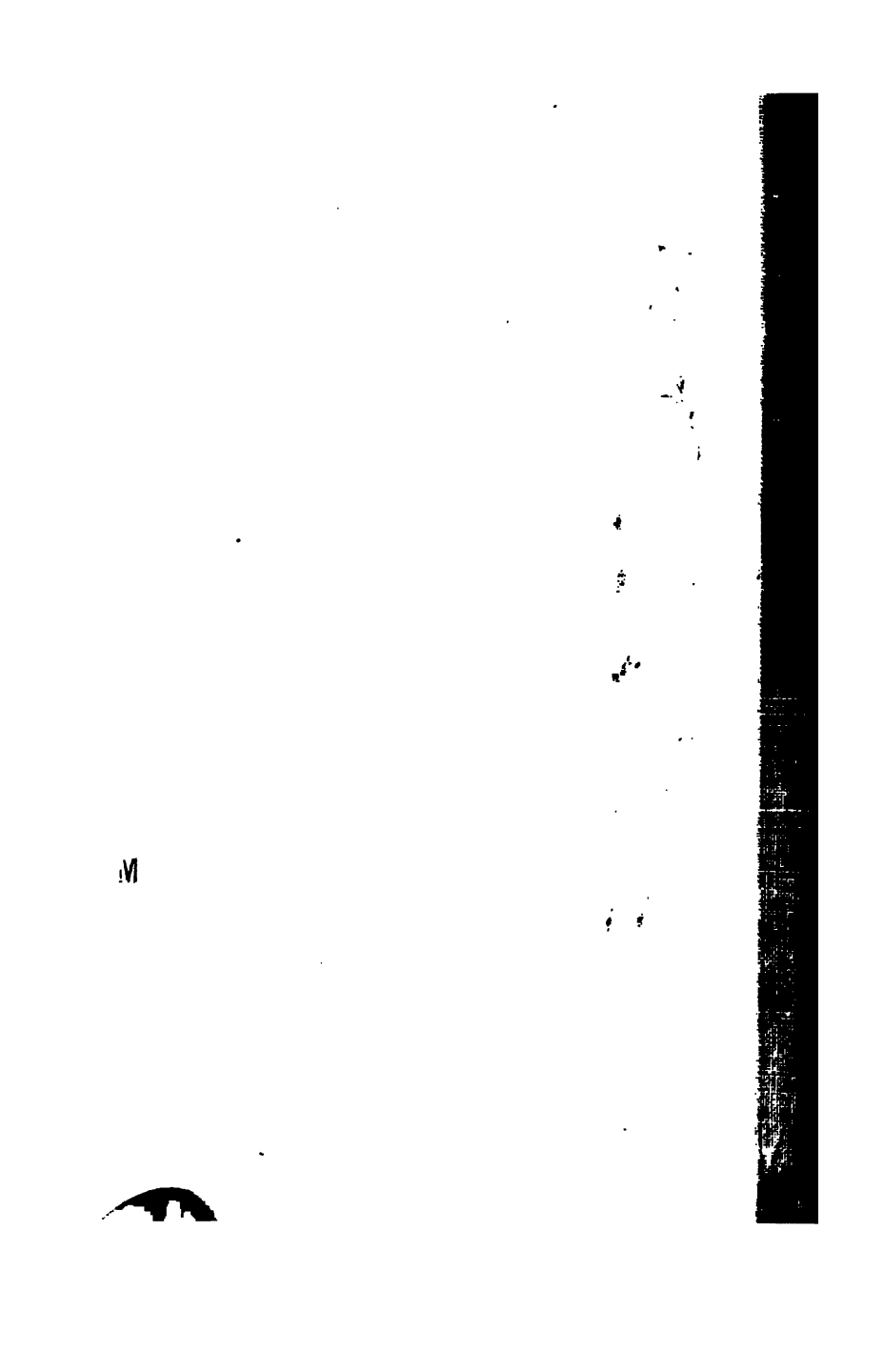

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